ABSTRACT OF THESIS

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Title of Thesis The Theological Presuppositions of Scottish Church Pronouncements on Sex, Marriage and the Family 1850-1914.

This study of the above-mentioned subject is divided into three parts, with a conclusion. The first part deals with pronouncements on the sexual behaviour, marriage customs and family life of the Scottish people, and of the rural working-class population in particular. Beginning with the question of the traditional controls exercised by the Church of Scotland over sexual behaviour through Kirk Session discipline, it outlines the development of discipline from the Reformation to the revival of Evangelicalism in the late eighteenth and early nineteenth century, in the first chapter; and, in the second, sketches some of the features of industrial and agrarian change which both obstructed any attempt by nineteenth century Evangelicals to resurrect traditional ecclesiastical methods of controlling sexual behaviour and forced them to seek new ones. The third chapter then deals with the churches' response to the publication in the late eighteen-fifties of the first set of Scottish illegitimacy statistics and to the subsequent controversy about the causes of and remedies for rural illegitimacy. The question of illegitimacy is taken further in the fourth chapter which deals with ecclesiastical opinions about its connection with discipline, the Scotch Marriage Law and rural courtship customs - in the context of a review of Scotch Law by a Royal Commission in the mid'sixties. In the fifth chapter another side of the same question is raised in a consideration of domestic piety as reflected in Pastoral Letters of the churches dating from the late 'fifties and early 'sixties. Chapters six and seven then deal with subsequent discussions (in the Established and Free Assemblies respectively) of sexual behaviour and domestic piety. In Chapter eight, pronouncements of the U.P. Synod on divorce are briefly noted, but the main aim of this chapter is to illustrate the similarity between church pronouncements on sexual behaviour (as seen in a U.P. Pastoral letter of the 'eighties) and contemporary moral conventions. The ninth chapter then deals with how the issues already raised, including discipline and the connection between sexual morality and social conditions, were carried forward by the Church of Scotland and the United Free Church in the years immediately preceding the Great War. A tenth and final chapter discusses theological presuppositions, which have already been considered in passing at the conclusion of chapters four, five and eight.

The second part of the study is concerned with pronouncements on Prostitution and Venereal Disease occasioned in the first place by the Contagious Diseases Acts of 1864-69. The first chapter of this section, after sketching some aspects of prostitution and venereal disease prior to and during the early nineteenth century, outlines

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the Evangelical approach to prostitution (and a radical alternative to this), making use of the writings of two Scottish authorities of the early 'forties. The second chapter then discusses another, therapeutic, alternative to these attitudes which illustrates the thinking behind the Contagious Diseases Acts. In the third chapter the churches' reaction to these Acts, their theological and social arguments against them, and their part in the repeal of the Acts is discussed; and in the fourth, subsequent pronouncements by the churches on the related subject of state-regulated prostitution and the control of venereal disease in India and elsewhere up to the time of the Great War is considered. The fifth and final chapter of this part discusses the theological presuppositions of the arguments used by the churches against state-regulated prostitution.

The third part of the study is concerned with pronouncements on the law relating to the prohibited degrees of consanguinity and affinity. The first chapter of this section, after sketching the development of this law from the Old Testament to the Middle Ages, outlines Calvin's interpretation of its scriptural foundations. It then shows how the divergent development of the subject under Scottish and English law after the Reformation led to a mid-nineteenth-century attempt to relax the prohibition on marriage with a deceased wife's sister. Further attempts to secure this, not successful until 1907, provide the context in which the second chapter outlines the arguments used against the proposed change by the Free and Established Assemblies, and discusses the ambivalence of the U.P. Synod towards the subject. This chapter then shows how after 1907 the U.F. and Church of Scotland Assemblies accommodated themselves to this and further changes in the law relating to the prohibited degrees. The third and final chapter is a discussion of the theological and other presuppositions of the arguments used against and in accommodating to the change.

The conclusion of the study draws together the major theological and non-theological presuppositions of the pronouncements and attempts first to relate the theological presuppositions to their cultural context and second to relate both of these to a contemporary problem which partly as a result of them the church now faces. Three theological perspectives which may help to resolve this problem are suggested.

THE THEOLOGICAL PRESUPPOSITIONS OF SCOTTISH CHURCH PRONOUNCEMENTS ON SEX, MARRIAGE AND THE FAMILY: 1850 - 1914.

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INTRODUCTION

What were the theological presuppositions of Scottish Church pronouncements on sex, marriage and the family from 1850 to 1914? The present study is an attempt to provide part of the answer to this question, by examining pronouncements on sex, marriage and the family made in and by the supreme courts of the four Presbyterian Churches whose members and adherents comprised the great majority of church-going people in Scotland during this period. These four churches were (1) the Church of Scotland, the continuing Established Church of the country since the Reformation of 1560; (2) the Free Church of Scotland, constituted in 1843 at the Disruption of the Established Church by a substantial minority of its Evangelical ministers and elders, ostensibly over the question of patronage and the church's 'spiritual independence'; (3) the United Presbyterian Church, constituted in 1847 as the result of union between bodies which had seceded from the Established Church and from one another during the eighteenth century (for various reasons, including patronage); and (4) the United Free Church of Scotland, constituted in 1900 by the union of the United Presbyterian Church (which was opposed to the connection of church and state) and the majority of the Free Church (which was in favour of the connection of church and state). The majority of the United Free Church subsequently (in 1929) re-united with the Established Church of Scotland, which thereafter preferred to call itself National rather than Established.

These four were not of course the only indigenous denominations. Both the Roman Catholic and Scottish Episcopal churches could make this claim and each of these was growing in numbers during the nineteenth century. Each of them however had strong links with other countries

(Ireland and England respectively), peculiar doctrines, a different system of church government, and a special social composition (Roman Catholics among the large numbers of Irish working-class immigrants, Episcopalians among the smaller numbers of the upper classes). As such, their influence upon the social and ecclesiastical life of the period was significant - much more so than that of any other non-Presbyterian denomination, none of which was nearly as influential except among limited sections of the population and in limited geographical areas. The influence of the Roman Catholic and Scottish Episcopal Churches however, although significant, was much less significant than that of the four Presbyterian churches mentioned.

The four churches were essentially homogenous. Each of course had its own ethos, created by the conflicts of the eighteenth and early nineteenth centuries. But by the middle of the nineteenth century and during the period with which we are concerned, the differences between them were being complicated by new factors arising out of the social and cultural consequences of the Industrial Revolution and the Enlightenment. These new factors created differences between churchmen, which crossed established denominational boundaries but produced no significant re-alignment of opposing ecclesiastical institutions within Scotland. Although a number of minority Presbyterian seceding bodies continued to exist, although one small new secession took place (by the Free Presbyterians from the Free Church in 1892) and although minorities of the Free Church (after 1900) and the United Free Church (after 1929) remained distinct, the general tendency of this period was towards Presbyterian re-union. The members of the four main churches disagreed about many things, indeed disagreement with one another was one of their most notable

characteristics, and the more sensitive among them were continually appalled at the lack of christian charity toward their brethern which, they believed, so sorely disfigured their ecclesiastical life. Yet on the whole they tended to agree on what it was important for them to disagree about, and their essential homogeneity was frequently displayed in eirenic private correspondence with those whom they most bitterly attacked in public.[1] Their quarrels took place within a family relationship; and although most murders take place between friends and kin, such relationships can also provide an easier basis for reconciliation, at least temporarily.

The Assemblies of the Free, United Free and Established churches and the Synod of the U.F. church were these churches' supreme courts. In the Presbyterian system General Assemblies were intermediate governing bodies between the inferior provincial courts (presbyteries and synods) and ecumenical councils; but because the latter had not been able to meet since the Reformation in a form which the Reformed churches were prepared to recognise, General Assemblies were for the time being the supreme arbiters of religion, doctrine, discipline and ecclesiastical government. Their status of course was closely bound up with the problems of church and state relationships which we have already mentioned, and it cannot be emphasised too strongly at the outset of any study of the ecclesiastical

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1. Vide: D. MacMillan: The Life of Robert Flint, 1914, p.385, which records a letter from the Free Churchman James Begg (vide: below : passim) to the Church of Scotland Professor of Divinity, written in 1882, and expressing a strong desire for Presbyterian re-union. In view of the severe public criticism of Begg by Flint in the previous year (a reply to Begg's criticism of Flint-ibid: pp.364f.), Begg's later correspondence is remarkably amicable. Yet it is only one example of many.

pronouncements of this period that very much else was quite overshadowed in the minds of many contemporary churchmen by the question of Disestablishment and of Presbyterian re-union. Assembly discussions of matters which might involve any of these churches in conflict with one another or with the civil power thus often took place in an emotionally charged atmosphere which owed more to the peculiarities of the Scottish Presbyterian scene than to the merits and demerits of the matter under discussion.

The composition of Assemblies and the manner of their meeting also influenced the way in which they dealt with their business. Despite the dominance of certain academics, bureaucrats, city ministers, influential laymen and popular or charismatic individuals, the pronouncements of Assemblies were not totally unrepresentative of the opinions of their membership. The membership of Assemblies was made up of ministers and elders elected by the inferior courts of the Church, who were thus in touch with the grass roots and back woods. Even Assembly committees contained representatives of the silent majority. Nevertheless, what was said in Assembly reports and debates was inevitably oriented to the national concerns of the churches, and may have reflected only in part the views of those whose primary experience of the church was of a local phenomenon, less clearly differentiated from other social institutions than it appeared to be at a national level. What was said in the Assemblies therefore, especially in connection with specialist committees, might not be a matter of much moment to many members of the church, and even if it was, might not reflect the views of large numbers of the rank and file. The representative character of the Assemblies would have acted to some extent as a check upon this, but even so the abnormal atmosphere and the need for business to be completed in a short time would put the

members of Assembly, however representative, under considerable pressure to act as The Church. In so doing their Assembly pronouncements could reflect a sense of corporate identity different from the individual or corporate identity reflected in what was said in their High Street or even in their Kirk Session. The pressure to say something, or to approve or disapprove of something said, about a wide range of issues of which many of them had only recently become aware, would in all probability have resulted in some such inconsistencies.

These then were the Assemblies whose Reports and Debates provide the present study with its primary sources of information. During the period under review the volume of information provided by these sources steadily increased, most notably in the Free Church context, but also in that of the Church of Scotland. Had the primary aim of the present study been to present an historical appraisal of the attitude of the churches to sex, marriage and the family it would have been necessary to restrict the length of the period, or the number of issues in the field, rather more closely than has been attempted here, and to examine other primary sources in greater detail. Had this been done, the Free Church would not have figured as prominently as it does and more would have been learnt of Establishment and United Presbyterian attitudes. In the event the primary sources referred to have been restricted for the most part to the Assemblies' and Synod's own records, and other contemporary material and secondary sources have been used only where it seemed necessary to explain or expand their contents.

The nature of the pronouncements studied means however that such explanation and expansion is fairly frequently required. During the period under review Assemblies and Synods chose to deal with an ever-widening range of social phenomena in ever-increasing detail.

This was partly a result of the growing complexity of nineteenth century society, and partly a result of the churches' growing awareness of that complexity. Letting the world write their agendas, Assemblies and Synods pronounced upon a range of social phenomena of which their predecessors were scarcely aware and which their successors preferred to leave to sociologists and political scientists. Their pronouncements are thus so inextricably interwoven with the public events and social conditions of their time that they require a certain amount of historical and social explanation in the present context. The main aim of this study however remains that of isolating the theological presuppositions of the pronouncements.

In pursuit of this aim the study is divided into three parts, each of which corresponds to an area of Synod and Assembly discussion of matters related to sex, marriage and the family. Each of these areas is treated somewhat differently and at different length but in each case the area under review is first set in its historical and contemporary social context and then discussed in terms of the development of the relevant Assembly and Synod discussions. The question of the theological presuppositions of these discussion is raised at appropriate points during and at the end of each part of the study and again in a concluding chapter.

The first part deals with pronouncements on the sexual behaviour, marriage customs and family life of the Scottish people, and of the rural working-class population in particular. Beginning with the question of the traditional controls exercised by the Church of Scotland over sexual behaviour through Kirk Session discipline, it outlines the development of discipline from the Reformation to the revival of Evangelicalism in the late eighteenth and early nineteenth century, in the first chapter; and, in the second, sketches some of the

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Abbreviations.

C. of S.G.A.R.	Reports of the General Assembly of the Church of Scotland.
F.C.G.A.P. & D.	Proceedings and Debates (including Reports) of the General Assembly of the Free Church.
U.P.S.P.	United Presbyterian Synod Papers.
U.F.C.G.A.P. & D.	Proceedings and Debates (including Reports) of the General Assembly of the United Free Church.
R.C. of P.	Religious Condition of the People. (Reports of the Church of Scotland Committee on that subject.)
R. & M. R.	Religion and Morals Reports. (Reports of the Free Church Committee on that subject.)
C.D.A.	Contagious Diseases Acts.
MDWS	Marriage with a Deceased Wife's Sister.

PART ONE:

THE COTTAR COMPLEX

In 1850 the Church of Scotland could look back on three centuries during which it had exerted great influence over the life of the nation. For the first half of this period - until about 1700 - its influence had been political as well as social: national struggles had been conducted in religious terms, and even if the motives of Reformers and Covenanters were not always religious, the political power exercised by the Church's ministers was considerable. Outside the Highlands and the world of the vagrant poor, ministers and sessions dominated much of the social life of the country. The Church had, as it were, expanded to help fill the cultural vacuum left when the king, court and patronage departed to London in 1603.

When the Scottish parliamentarians and many of the ruling classes departed to London in 1707 however, the Scottish Church lost a good deal of its political significance. Junior partner to the Church of England, but with no bishops professionally committed to representing its views in Parliament, it grew increasingly remote from the day-to-day realities of national politics, and during the nineteenth century increasingly concerned with the alternative reality of ecclesiastical politics. Any influence which the Church of Scotland may have had in government circles now lay with its more astute leaders in their private negotiations, rather than with its more fiery rhetoricians, hankering after the totalitarian claims of a bygone age.

Despite this, the Church of Scotland continued to exercise considerable social and cultural influence within its own country. Although the State was no longer on hand to enforce the Church's wishes, much of what the Church said remained plausible to the middle-classes and even to many of the lower orders. A major reason for this was the absence of any plausible and coherent alternative to the Church's definitions of reality. For although Christian

culture overlay an older pagan culture, still expressed in superstitions and folkways (many of which, as we shall see, affected marriage customs), this culture, while in part plausible, was not coherent; and although the Enlightenment was beginning to create an alternative post-Christian culture, that culture, while in some ways coherent, was too new to be very plausible. During the nineteenth century neither of these alternatives to Christian culture was able to take over its role. The older culture, under the disintegrating forces of urban, industrial and agrarian change, was becoming so incoherent that it is doubtful whether it could be called a culture at all, while Enlightenment culture, under its own momentum, was being broken down into a plurality of precariously enlightened sub-cultures. In this context the nineteenth-century Church, enthused by the energy of resurgent Evangelicalism and heady with the success of the middle classes which supported it, continued to influence Scottish society and culture.

The nineteenth century, however, in the end failed to halt the Church's loss of influence. During it the Church's position continued to be undermined, on the one hand among the urban masses, who now represented an increasing proportion of the population, and on the other by its failure to carry intellectual conviction among those who were influenced by the Enlightenment's late fruits of biblical criticism, comparative anthropology and scientific progress in general. Reviewing the Church's position in 1870 one of its more disgruntled ministers concluded that if things went on as they were doing,

> 'the intelligence of the country may depart from the churches, leaving an artificial and lifeless orthodoxy, with which they cannot sympathise, to be taught to stolid peasants or superstitious women'. 1

Five years earlier much the same situation had been described by one of the

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1. Robert Wallace: 'Church Tendencies in Scotland', in Recess Studies, ed. A. Grant, 1870, p.223.

Church's most independent and outstanding thinkers in the following terms:

> 'The Church of Scotland has for very long concentrated within itself most of that power which is now exerted by various separate and distinct agencies - as by the press, by public meetings, by poor's boards, by town councils, by Parliament, no less than by the Church courts. The unhappy splitting up of our Church by controversies into many denominations has without doubt immensely and perhaps unduly weakened the ecclesiastical power of each denomination, and even of them all combined; but if the Church had remained intact, if there had never been such a thing as dissent from it, the direct power of the Church over the nation would, notwithstanding, have diminished. The progress of the people in civilization, their growing activity and energy, the application of other organs and agencies for the expression of their thoughts and purposes, would of themselves have, infallibly, in process of time, brought about the result which we now witness. The warfare of sects has only hastened what was inevitable, although we may safely say it was the very last thing any of the sects desired.' 1

This writer, more perceptive and prophetic than many of his colleagues and contemporaries, was not unduly disheartened by what was happening however; and his further comment upon this is worth quoting if only to draw a contrast with the many contrary assessments of the situation which will be cited in subsequent chapters.

> 'Seeing that the Church has lost its authority over these things for ever and her loss has been the world's gain, (he wrote) are we to conclude that all these things have become atheistical, irreligious, unchristian, because they have separated themselves from the Church, asserted rights of their own, and jealously guarded these rights? ... Assuredly no, for the Church is not the kingdom of God ... These elements of social life in separating themselves from the Church have not separated themselves from the kingdom of God. Nay, by the very act of rejecting the control of the Church they set aside the mediation of the Church between them and the kingdom of God and secured for themselves as a portion of their independence the right of standing in immediate contact with the word and kingdom of God. Before their independence they were related to the Kingdom of God only through their connection with the

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1. D. MacMillan: op.cit., p. 127.

> Church; now since their independence they may justly claim to be portions of the kingdom of God, each one of them as much a portion of it as the Church itself.' 1

This view, unfortunately, was all too rarely heard from churchmen during this period. Their continued sectarianism and authoritarian tone prevented them from seizing the opportunity implied in this analysis of their situation, and as a consequence their residual authority continued to decline. Yet even at this stage no other single agency was able to take over the Church's role in Scottish society. It was still to the Church, however unsatisfactory it might have been, that the majority of the people continued to turn for the celebration of their rites of passage, and in search of meaningful symbols.

The subject of the Church of Scotland's social and cultural influence is, then, a problematic one; and many questions about its extent and depth, throughout the four centuries of its existence, remain unanswered. To answer these questions much more would have to be known both about how the Scottish people themselves secretly regarded it, and about what lay behind pronouncements of the Church concerning their life and religion. This part of the present study is concerned with the latter, and in particular with those Church pronouncements of the second half of the nineteenth century which dealt with two aspects of Scottish society, sensitive not only in themselves, but also because of the Church's previous involvement in them: the social control of sexual behaviour through ecclesiastical discipline and the regulation of marriage, and family religion. We begin with the first of these.

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1. Ibid, pp. 127f.

CHAPTER ONE:

THE SOCIAL CONTROL OF SEXUAL BEHAVIOUR IN SCOTLAND.

1. Discipline in the Early Nineteenth Century.

In his report to the Board of Agriculture in 1811, the Ayrshire lawyer William Aiton wrote that agriculture and society in Scotland were alike making progress 'from barbarism to refinement'.[1] Even Scottish religion was losing 'that gloominess of aspect, that bitterness of spirit' and that 'noisy virtue'[2] which had characterised it since the Reformation. It was unfortunate, however, that amid these scenes of improvement,

> 'Too many of the clergymen of Ayrshire, still keep up the ridiculous farce of public repentance, for breaches of the seventh commandment; though that stool has been the cause of so many children being murdered. Some of them render themselves unhappy, and disturb the peace of their parishioners, by hunting after scandal themselves and employing ten or a dozen of officious elders to assist them in that ridiculous research.' 3

That Aiton could make this criticism was a sign of the times. The clergymen he criticised were exceptional. In many parishes public repentance was now a rare if not an unknown event. With an eye on the improvement of their churches many ministers were getting rid of the redundant stool of repentance.[4] Others, taking Aiton's hint 'that the labours of an officious eldership might well be dispensed with',[5] were getting rid of them as well.[6] Of course this was too blatant an example of ministerial management for the Presbyterian Church of Scotland to sanction; but the church did commend the

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1. W. Aiton: General View of Agriculture in the County of Ayr, 1811, p. xiv.
2. Ibid: p.159.
3. Ibid: p.158.
4. Vide: G.D. Henderson: The Scottish Ruling Elder, n.d. p.241.
5. Aiton: op.cit., p.xiv.
6. Around 1825 there were many parishes in which the Kirk Session scarcely existed and never met. Vide Henderson: op.cit., p.229.

abandonment of traditional disciplinary practices. As early as 1804 the Presbytery of Strathbogie decided that its ministers and Sessions might give up the practice of reproving offenders in public on the grounds that this was not 'conducive to edification'.[1] In the rapidly changing society of the early nineteenth century many moderate ministers must have thought that this was only common sense, while those who were not so moderate must have felt that they were the last remnant of the church remaining faithful to Reformation principles. But what in fact was the tradition these ministers were faithful to? And how had their church managed to produce their careless colleagues?

2. In the Sixteenth and Seventeenth Centuries.

The Scottish Reformers of the sixteenth century had attempted to exercise control over the sexual behaviour of the people in two ways. They had insisted that the celebration of marriage should be a public event. And they had insisted that sexual intercourse outside marriage should be punished. In principle there was nothing essentially new in this; in practice the Reformer's Catholic predecessors also had attempted to exercise such controls.[2] But in principle and practice alike the Reformers were more radical than those who had gone before them.

For the moment we shall leave aside the question of the public character of marriage, which will be dealt with in a subsequent chapter.[3] As far as sexual behaviour was concerned the Reformers were determined to sweep away the double standard. The routinization of celibacy, they believed, had been a mistake. Promoted by 'superstitious little fellows who dream up something new to win admiration for themselves', as Calvin put it, priestly

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1. Ibid: p.242.
2. Vide A Ross: 'Reformation and Repression', passim in Essays on the Scottish Reformation, ed. McRoberts, 1962.
3. Vide chapter four, below.

reliance upon celibacy had made them 'callous to all crimes', while 'fornication prevails among them unpunished'.[1] Most men were not, in the Reformers' view, capable of celibacy: they should marry rather than burn - or worse. The Reformers were thus committed to the establishment of a single standard of sexual behaviour. With great confidence they believed that it was possible to sweep away not only the routinization of celibacy but also the complexities of casuistry, and so return to the plain teaching of Scripture, which everyone - once they were taught to read - could understand.

This single standard had to be not only established, but enforced. The Reformers therefore mounted a fierce attack on fornicators and adulterers whom they were determined to suppress. In their attempt to do this they gained official support. After 1560 the Privy Council, Parliament, the General Assembly and town councils all passed Acts with this end in view, and in towns where the reforming party was well established, sexual offenders were sought out and punished. An Act of 1564, passed by the Privy Council, ordered what should be done with fornicators. If it was their first offence they were to be fined, imprisoned and pilloried; if it was their second, they were to be fined more heavily, imprisoned longer and pilloried with their heads shaved; and if even this did not deter them they were, for a third or subsequent offence, to suffer larger fines, longer imprisonment, ducking 'in the foulest pool of water in the town or parish', and finally, banishment. These punishments were to be exacted of both persons involved, for the Privy Council was no respecter of sex. Equally zealous was the town council of Edinburgh where, as in some other towns, similar policies to these were being pursued even before the 1564 Act had been passed. The Edinburgh baillies three years earlier had prepared a hole in the malodorous

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1. J. Calvin: Institutes of the Christian Religion, Book IV, Ch. XII, 26 & 23.

North Loch specially for the ducking of fornicators, who, together with adulterers, had been assigned a special prison. Adultery was particularly severely punished: although the statutory capital punishment of this sin seems rarely if ever to have been exacted, adulterers were variously imprisoned, 'scourged at the cart's end through the streets', banished and punished in a number of other ways.[1]

It is difficult today to justify activities of this kind by reference to Scripture. The Reformers' warrant for the punishment of fornicators can scarcely be found in the teaching of Jesus, and although fornication is clearly condemned in Pauline teaching, the New Testament does not provide a model for the legislation of the Privy Council or the activities of the Edinburgh baillies. Even the Old Testament does not prohibit simple fornication as such: for the sexual sins prohibited there are intercourse with foreign women and ritual prostitution; and these are seen as sinful primarily because they were acts of religious apostasy. It was only at a late date that Judaism reinterpreted the Seventh Commandment to include simple fornication between Jews.

These difficulties, however, seem not to have troubled the Reformers. Calvin, for example, aware that the Commandment referred only to adultery, commented that

> 'it is sufficiently plain, from the principle laid down, that believers are generally exhorted to chastity; for, if the Law be a perfect rule of holy living, it would be more than absurd to give a licence for fornication, adultery alone being excepted. Furthermore it is incontrovertible that God will by no means approve or excuse before His tribunal, what the common sense of mankind declares to be obscene; for, although lewdness has everywhere been rampant in every age, still the opinion could never be utterly

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1. Vide J. MacIntosh: The History of Civilization in Scotland, 1893, vol. 2, pp. 249ff.

> extinguished that fornication is a scandal and a sin.' 1

Some people might argue, he continued, that 'the crime of idolatry was mixed up with it', but Paul's remark 'that we should not "commit fornication as some of them committed, and fell in one day three-and-twenty thousand" (Numb.xxv.9; I Cor.x.8)', showed 'that God was the avenger of fornication in this infliction of punishment, which would not accord, unless it were a transgression of the Law'.[2]

The confident anthropological and exegetical speculation which thus lay behind the Reformers' attitude to fornication also informed the view - which Knox shared with Calvin[3] - that adultery deserved the death penalty. In his commentary on Genesis, Calvin explained:

> 'The Law of God commands adulterers to be stoned. Before punishment was sanctioned by a written law, the adulterous woman was, by the consent of all, committed to the flames. This seems to have been done by a divine instinct, that, under the direction and authority of nature, the sanctity of marriage might be fortified, as by a firm guard: and although man is not the lord of his own body, but there is a mutual obligation between himself and his wife, yet husbands who have had illicit intercourse with unmarried women have not been subject to capital punishment; because that punishment was awarded to women, not only account of their immodesty, but also of the disgrace which the woman brings upon her husband, and of the confusion caused by the clandestine admixture of seeds. For what else will remain safe in human society, if licence be given to bring in by stealth the offspring of a stranger? to steal a name which may be given to spurious offspring? and to transfer to them property taken away from the lawful heirs? It is no wonder, then, that formerly the fidelity of marriage was so sternly asserted on this point.'[4]

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1. J. Calvin: The Harmony of the Four Last Books of the Pentateuch, 1854 translation, vol. III, p. 69.
2. Ibid, p. 70.
3. Vide J. Knox: History of the Reformation, II, p. 306.
4. J. Calvin: Commentaries on Genesis, 1850 translation, vol. II, pp.286ff. (Calvin was commenting here on the story of Judah and Tamar in Genesis 38, and on verses 24 and 25 in particular.)

It was not, however, a point upon which Calvin was successful in establishing in his own time. Much to his disgust, he went on to complain:

> 'How much more vile, and how much less excusable, is our negligence at this day, which cherishes adulterers, by allowing them to pass with impunity. Capital punishment, indeed, is deemed too severe for the measure of their offence. Why then do we punish lighter faults with greater rigour? Truly the world was beguiled by the wiles of Satan, when it suffered the law, engraven on all by nature, to become obsolete. Meanwhile, a pretext has been found for this gross madness, in that Christ dismissed the adulteress in safety, (John viii. 11), as if, truly, he had undertaken to inflict punishment on thieves, homicides, liars and sorcerers. In vain, therefore, is a rule sought to be established by an act of Christ, who purposely abstained from the office of an earthly judge.' 1

But by whatever covert casuistry of their own the Reformers appealed to Scripture, it is clear that they introduced a new element into the Scottish scene. Thereafter, the principle that adulterers and fornicators alike were sinners and should suffer was built into Scottish life. The agency by which this was to be ensured was not in the long run, however, the Privy Council or the town council, but the Kirk Session. The institution of Session discipline marked a break with mediaeval tradition as significant as that with celibacy and overt casuistry, and its most significant aspect was the role it gave to the laity in the administration of discipline. Since the exercise of discipline was in origin envisaged as the granting of a privilege to the sinner by his fellow-sinners, not only the Session but the whole congregation had a part to play in it. And although in practice the support given by the state to the totalitarian claims of the church undermined this ideal, the system appears to have been reasonably free from corruption. None was exempt from discipline, at least in theory, and in practice only a limited number of

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1. Ibid.

influential people would have been able to escape a determined Session, each of whom including the minister, was subject to the discipline not only of their colleagues on the Session but also of the visiting Presbytery. Initially, the system of Session discipline was - up to a point - democratic, and its strength must have derived to some extent from its popularity. In a society where godliness was one of the main grounds for esteem, the system by which minimal godliness was enforced would itself have seemed estimable.

The sytem of Session discipline instituted and organised by the Reformers and their successors was not however solely concerned with sexual behaviour. In the sixteenth and seventeenth centuries Scottish society was relatively undifferentiated, and the lines of distinction between the civil and the ecclesiastical jurisdictions were blurred. In towns the Burgh Council and the Kirk Session were frequently hand in glove, and sometimes it was the same hand, since some men were members of both. Under this system Kirk Sessions at first exercised remarkably wide powers over everyday life and although they seem to have spent a good deal of their time dealing with sexual offences, they also dealt not only with other obvious and physical sins such as fighting, drunkenness and Sabbath-breaking, but also with such things as sharp business practice and the subtler physical sins of pride and avarice.[1] Making allowance for the violence of the age, this period can be seen as one in which an attempt was made to produce a society which disciplined itself on the basis of a set of commonly held values.

The basis of this society was however too narrow and its values were held by too small a proportion of the total population for it to enjoy long term success. The Reformers were moreover too dependent upon the co-operation of the aristocracy, who were by no means always in agreement with their

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1. Vide G.D. Henderson: op.cit. Ch. IV and I.M. Clark: A History of Church Discipline in Scotland, 1929, Chs. V & VI.

ideals; and from the first they had to fight for what they wanted against those who considered that their ideals were either impracticable or undesirable. This conflict arose from a tension inherent in Calvinism with its ideal of the church as

> 'both national and free ... a voluntary and a compulsory organisation ... based on the assumption that all the elect, if they are sufficiently well taught, will open their minds to the Truth, while ... all the non-elect must be suppressed, to the glory of God and for the protection of the elect, and must be prevented from expressing both their unbelief and their non-morality in public.' 1

To put this Calvinist ideal into practice the support of the civil sword was absolutely necessary, and this tended to make Calvinism less of a democratic and popular movement than it might have become had the struggles of the mid-sixteenth century resulted in a more radical political solution. As it was, despite the popular element in the Reformers' campaign to suppress sexual offences, opposition was present from the beginning, even among those classes from whom the Reformers drew support. It was, for example, only after the town council of Edinburgh had called in the help of the Privy Council that they were, in 1560, able to carry through the punishment of the fleshers' deacon for adultery: the deacons of the other crafts had refused to co-operate in carting him through the town and banishing him, on the grounds that 'they would not allow such extreme punishment to be inflicted upon any honest craftsman'.[2] If opposition of this kind was encountered among respectable inhabitants of the towns, it was even more likely to be found among the ruling aristocracy, many although not all of whom co-operated with the Church because it suited their immediate political purposes and not because they were bowled over by the obvious truths of Calvinism. Under such circum-

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1. E. Troeltsch: The Social Teaching of the Christian Churches, 1911, (English edition 1931), p.653.
2. J. MacIntosh: op.cit. vol.2, p.248.

stances the Calvinist programme could have been carried through only if it had been backed by a considerable weight of popular public opinion.

The instinctive Calvinist reaction of calling upon the State for help was not however the only aspect of their policy which prevented the growth of sufficient pro-ecclesiastical public opinion to maintain the Calvinist programme at full steam after the withdrawal of the civil sword from the scene. The structure of Presbyterian government itself did this, insofar as the eldership, which had originally been elected popularly and for a limited period, was, according to the Second Book of Discipline of 1578, to be for life, and elders were to be nominated by the existing Session through a process in which the people as a whole were largely passive. Although elders were laymen, and in many ways indistinguishable from other laymen, this system formalised church government in a manner which made it less sensitive to shifts in public opinion and less flexible in times of change, so that Session discipline became, for many, less a form of social self-discipline than a form of heterocracy.

During the seventeenth century, however, the church's discipline was probably prevented from becoming altogether heterocratic by the way in which the church's struggles became for many Scots a matter of national identity. Religious and national or party ideals were inextricably interwoven and in the resulting ideological confusion the ministers were often able to wield great and sometimes catastrophic influence. Power went to the heads of some and while it is a serious charge to say that they became as corrupt as the Scottish aristocracy, much of the mud and blood of the seventeenth century certainly clung to their clothing. Partly as a consequence of this the Old Testament ideals of Scottish churchmen were by the end of the century becoming less attractive to their aristocratic supporters (as well as to the long-suffering common people of Scotland) and their eyes were beginning to turn in

the direction of the fleshpots of England. The Jews on their Exodus had after all wandered in the wilderness for only forty years. But the final establishment of the Presbyterian promised land looked as if it was going to go on for ever.

3. In the Eighteenth Century.

Presbyterianism was however established in 1690 and the Union with England came seventeen years later. The Union of 1707 preserved Presbyterianism in Scotland in principle, and thereby deprived the Church of much of its potential political influence.[1] But this perspective was not available at the time, nor in the early eighteenth century was any real diminution in the church's social and cultural influence immediately obvious. During the eighteenth century, apart from Jacobite interludes, Scotland was to be in for a quieter time. Even the leaders of the church were to quieten down, especially after 1750 when the Moderates came to power.

Session discipline, as exercised in the seventeenth century, had kept

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1. This and the Disruption of 1843 are two outstanding examples in the history of the Scottish Church of struggles in which the establishment of an ecclesiastical ideal in principle ultimately resulted in a diminution of the church's real power and influence. From the point of view of the nineteenth and twentieth centuries the opportunities for serving the welfare of the community, on the basis of a flexible set of shared values, which could have been presented to a genuinely popular and adaptive church with less grandiose ideas of its own significance, are very great. Instead, the essential initiative in this field passed at the end of the seventeenth century to the state, when the ruling classes finally got the upper hand over the representatives of the church; and while the part which the state was to play in making provision for community welfare was to lie dormant for over two hundred years, the church's part was to become smaller as society became increasingly differentiated. The end of this process, which just conceivably might be the evolution of a society able to locate its social policies in the context of a common but flexible structure of self-understanding, rather than in the context of an ideologically pluralist society serviced by professionals whose function is dependent upon the distinction drawn between them and those whom they help, is not yet in sight. But its origins, in Scotland at any rate, are clearly related to the dissociation of religion and politics which took place in the early eighteenth century; and for which, in view of the totalitarian claims of the custodians of the national religious tradition, the politicians can scarcely be held responsible.

many of the features already described. It had lost something of its comprehensive character however, and eventually the church adopted a new system of disciplinary procedure which altered its approach to the control of sexual behaviour. In the seventeenth century disciplinary practice had varied from parish to parish and in an attempt to standardise it the church adopted, in 1707, The Form of Process in the Judicatories of the Church of Scotland with relation to Scandals and Censures. The Form of Process, as its name suggests, was more legalistic than the standards hitherto provided by the Books of Discipline, and it narrowed the range of offences with which Sessions might deal to those of an outward, obvious and physical nature. Since this form was adopted at a time when the state was becoming less willing to enforce the church's discipline it is difficult to escape the conclusion that the church, lacking the ingenuity or perhaps the integrity to discipline the sins of the spirit, had decided to make do with the sins of the flesh, which were all that was left now that most political and commercial offences had been removed from its jurisdiction. During the eighteenth century Sessions dealt with cases of petty theft, fighting and swearing sometimes, intemperance and Sabbath-breaking frequently, and fornication incessantly.[1]

An important aspect of this system was the stress it laid upon proving that offences had in fact taken place, when they were not confessed to voluntarily - and in the early eighteenth century few were.[2] In cases of sexual offences the Session was warned 'to be very cautious ... where there is not a child in the case',[3] and in practice the existence of an illegitimate child 'eventually became the sine qua non in cases of this nature'.[4]

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1. Vide G.D. Henderson: op.cit, Ch. IV, and I.M. Clark: op.cit, pp.163ff.
2. According to I.M. Clark: op.cit, p.143.
3. Ibid, p.144, quoting The Form of Process, Ch. IV.
4. Ibid, p. 144.

This need for evidence explains why Aiton's clergymen were described as 'hunting after scandal', and the fact that an illegitimate child was taken as evidence goes some way towards explaining his reference to infanticide. How far 'the dread of facing the disgrace and terrible ordeals of the Church' as H.G. Graham[1] put it, led to infanticide becoming 'a crime of terrible frequency' is a disputed point. Certainly there seems to have been a good deal of infanticide in seventeenth century Scotland, but how great the incidence of it was by comparison with that of other countries at the same time, and how far it can be connected with Session Discipline is not clear.[2] A variety of social and psychological pressures may be operative in a situation which produced infanticide and abortion. Most societies have felt threatened by these acts and have tried to deter or at least limit them by the exercise of social sanctions.[3] Such sanctions do not need to be embodied in anything as concrete as Session discipline for them to drive a woman to remedies of this kind. Nor are such pressures in any case necessarily the only or even the major cause of them. Economic and psychological factors also play a part, so that although the connection with Session discipline was no doubt one factor in this situation, it was only one among others. The fact that women suffered more than men is, equally, a criticism of the age, rather than of Scotland or Calvinism in particular. Calvinism indeed stressed the element of companionship in marriage and thereby at least

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1. H.G. Graham: Social Life in Scotland in the Eighteenth Century, 1906, p.323.
2. Vide G.D. Henderson: op.cit, pp.118ff. cf. W. Ferguson: Scotland: 1689 to the Present, 1968, p.164. N.B. Infanticide may be distinguished from the accidental death of infants as a result of being overlain by parents. Among poorer people when, as was common, several persons slept in the same bed, this had 'often' happened, according to Pre-Reformation Statutes warning against it. (Vide I.M. Clark: op.cit., p.99) This was not something which Scottish ecclesiastical or civil laws mentioned after the Reformation (ibid), although sleeping arrangements had not significantly improved, and presumably it was not less common.
3. Vide G.P. Murdock on 'The Universality of the Nuclear Family' in A Modern Introduction to the Family, ed. N.W. Bell & E.F. Vogel, 1968,p.43.

implied some recognition of women as persons. (The myth of multitudes of petty Knoxes getting rid of their sexual frustrations by persecuting regiments of uncrowned but deflowered Marys is probably too dear to the hearts of the popular critics of Presbyterianism to fade away, but the truth was probably much less melodramatic. More interesting, however, is why the myth is still perpetuated.)

The Form of Process could not have been easy to operate. And since, during the seventeenth century, the Presbyteries' strict supervision of Kirk Sessions had been relaxed, uniformity of practice, even if the Assembly desired it, could not readily be enforced. Here too the removal of external controls left Session discipline dependent on popular support, and although during the eighteenth century there were still no doubt many Scots beside ministers and elders who believed that Session discipline was a useful way of keeping young people, the lower orders and their sexual behaviour in order, (there is after all nothing old-fashioned about the cry for law and order even today), doubts began to arise about whether it was the most useful and appropriate way of doing this. Even some Sessions thought that too frequent discipline might harden offenders, and that, because it was so common, discipline might not be taken very seriously.[1] An unsympathetic visitor to Scotland in the early eighteenth century remarked, with this in view, that 'it serves for a direction where to find a loving girl on occasion'.[2]

The effectiveness of Session discipline as a method of exercising control over the sexual behaviour of seventeenth and eighteenth century Scots, even within the pale of respectable society, thus remains a subject about which it is difficult to generalise. The wide variety of disciplinary

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1. G.D. Henderson: op.cit, p.138.
2. Ibid, p.116, quoting Burt's Letters from a Gentleman in the North of Scotland, 1754 (written c.1730).

practice in seventeenth and, despite the Form of Process, in eighteenth century Scotland complicates this question farther. In some parishes the stool of repentance was never vacant, in others cases were less frequent, and in some, even in the seventeenth century, there were offenders who refused to submit quietly.[1] The fact that the 'greater excommunication', which made the offender a virtual outcast in his community, was rarely pronounced,[2] suggests not only that Sessions were unwilling to impose it, but also that the people may have been unwilling to enforce it, and this too implies that there were limits to the effectiveness of discipline. On the other hand some congregations criticised their Sessions for not being strict enough.[3] The overall picture thus is far from clear, and of course beyond all these other doubts there is the consideration that, even without effective contraception, by no means all acts of sexual intercourse result in conception. There must then have been many inhabitants of that sparsely populated country who could, if they wished, have eluded the eyes of even the most vigilant searchers. What we cannot know is how many did, or in doing so worried sufficiently about the eyes of God to exercise continence; and perhaps it is advisable not to push this fruitless question farther.

Whatever the effectiveness of Session discipline in these matters during the seventeenth and early eighteenth centuries, by the middle of the latter century the character of the Church of Scotland was changing, and although the Moderate party which came to power around 1750 was neither as large nor as powerful as its critics were to claim,[4] it represented a new mood in the church, and a ministry not dedicated to the zealous prosecution

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1. Ibid, pp.116ff.
2. Ibid, p.144.
3. Ibid, p.106.
4. Vide I.D.L. Clark: 'From Protest to Reaction: The Moderate Regime in the Church of Scotland, 1752-1805' in Scotland in the Age of Improvement, ed. N. Phillipson and R. Mitchison, 1970, pp.200ff.

of Discipline.

Perhaps the most important factor affecting the exercise of discipline at this time however was the simultaneous growth of population and Dissent. Between 1750 and 1800 the population grew by about a quarter, the urban population of the West of Scotland more than doubling. At the same time the number of Presbyterian sects outside the Establishment, of which there had been only two or three in 1700, rose from about five in 1750 to about nine in 1800. Other non-Presbyterian bodies, additional to the native Catholics and Episcopalians, were also emerging, and although neither they nor the Presbyterian seceders had the faintest hope of challenging the nationwide and massive numerical predominance of the Established Church, the existence of one or two of them in a parish made it easier for offenders to avoid the discipline of any church. Given the growth in, and mobility of, the population, avoidance was made even easier, especially as the Church of Scotland had failed to extend its parish system on any comparable scale and with any comparable speed. By 1850 the population of Scotland was almost, and by 1870 was more than, twice that of 1800. By 1850 the population of Lanarkshire was nearer four than three times what it had been in 1800, and by 1870 it was over five times the 1800 figure. The number of Presbyterian bodies outside the Established Church did not rise significantly in the nineteenth century thanks to ecclesiastical mergers, notably that which resulted in the creation of the United Presbyterian Church in 1847: the Disruption of 1843 however meant that Presbyterian dissent was now more serious. In 1870 there were only 1,254 Church of Scotland churches in the country compared with a combined total of 1,473 Free Church and United Presbyterian congregations, even though the Establishment still claimed 460,464 members as against a combined total for the other two of

444,315.[1]

4. Nineteenth Century Evangelicalism.

By the time that Aiton was writing then, the traditional machinery of ecclasistical social control was breaking down. Understandably, therefore, those ministers who believed in it and who tried to keep it going were unhappy. These ministers, it has been suggested, were the spiritual survivors of the early eighteenth century. But in another sense they were the precursors of the nineteenth. Moderatism of a sort lingered on well after 1800, but in Scotland as elsewhere, as a result of revivals and awakenings in the late eighteenth and early nineteenth centuries the initiative passed to Evangelicalism; and because the Scottish evangelical tradition had not died out during the eighteenth century the form Evangelicalism took was Presbyterian, and, initially at any rate, it did not lead to the formation of a major new denomination, such as Methodism in England. It did however lead to a re-writing of church history, and the Evangelicals, erasing the Moderate picture of John Knox the barbarian, rehabilitated both the Reformers and the Covenanters.

These new Evangelicals were to talk a good deal about the glories of their Reformed and Covenanting inheritance: but at the same time they were aware that they were not living in the seventeenth century. When the crunch came and Evangelicalism led to the Disruption of 1843, the whole affair was managed in a most un-Covenanting fashion. There was plenty of cheering and weeping and waving of handkerchiefs; and the Established Presbytery of Tain nervously petitioned the governmentto keep its gunboat in the Cromarty

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1. Population estimates from T.C. Smout: A History of the Scottish People 1560-1830, 1969, Ch. XI; and R.H. Campbell & J.B.A. Dow: Source Book of Scottish Economic and Social History, 1968, p.8. Ecclesiastical estimates from R. Wallace: 'Church Tendencies in Scotland' in Recess Studies, ed. A. Grant, 1870, pp.187ff.; J. Barr: The United Free Church of Scotland, 1934, p.303 (chart); J.R. Fleming: A History of the Church in Scotland, 1933, vol.2, p.146.

Firth 'till after the present excitement shall have subsided',[1] but it was all a very pale reflection of the good old days. The God-fearing bark of the nineteenth century North-West could not be compared with the bloodthirsty bite of the seventeenth century South-West. Neither government nor people were willing to let the castrated Calvinism of the Evangelicals regain its old virility, least of all in the exercise of Session discipline, and the Evangelicals for their part were not very willing to try, for all their rhetoric.

Yet at the same time the Evangelicals were not entirely happy about relinquishing control over the morals, especially the sexual morals of the Scottish people. If they could not be moulded into morality by discipline, other methods would have to be found. Aiton, although they probably knew nothing about it, was suggesting the way they might and to some extent would follow.

In his report Aiton had discussed, among many other things, the condition of farm buildings, and turning to farm-houses in particular had remarked that it was common in Ayrshire 'to place beds in the kitchen, part of which are occupied by the men, and part by the maid servants'. Apart from creating 'an unwholesome effluvia' in the kitchen, and giving those who slept there 'rheumatisms, deafness and other diseases' due to ground floor dampness, there could, wrote Aiton, certainly

> 'be nothing more indelicate and indecorous, than for groups of people of both sexes to sleep in the same apartment; and to put off and on their clothes together'. 2

In his view it surely would be better 'for the health and morals of the lower orders' if farmhouses were constructed with smaller kitchens, and if the building materials saved were then used to build an attic story 'so as

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1. Vide D. Fraser: The Story of Invergordon Church, 1946, p.9.
2. W. Aiton: op.cit., p.117.

to have bed rooms (or barracks if that be too refined)' for each of the sexes.

What really surprised Aiton about these arrangements was

> 'that the men and women servants in farm houses, sleeping in the same apartments, has not roused the indignation of the ministers and elders, the guardians of chastity and decorum. From the zeal which many of them have shewn in prying into matters of scandal, and bringing delinquents to their stool of repentance, one might have expected that every pulpit would have been made to ring with remonstrances, against practices so indecent. So far from this, the servants and children of the greatest part of the elders sleep every night in this promiscuous and indelicate manner.' 1

Had Aiton been writing at the end rather than the beginning of the nineteenth century he would have found it difficult to complain that the church had ignored questions of this kind. Although pulpits failed to ring with remonstrances sufficiently frequent or forthright to satisfy some of those who directed the strategy of the churches, Assemblies pursued the question of the socio-sexual state of farm servants with an obsessive interest. Aiton indeed might well have thought that this, too, was 'ridiculous research', and that it would have been better to leave the subject to the new breed of secular sanitary reformers, rather than to the old experts in moral hygiene.

But moral hygiene was hardly a seventeenth century term: and however much the Evangelicals might repudiate Moderatism their social thinking was inevitably influenced by that of the previous century, as well as by the new problems which that century bequeathed to them and to their contemporaries. If it was impossible to see contemporary society simply in terms of its irrationality, it became qually impossible to see it simply in terms of its sinfulness. The social problems of the nineteenth century were too

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1. Ibid.

serious simply to be solved either by fervent preaching or by reasonable behaviour. A combination of passion and planning was required, although few hit on the right combination. The churches, caught in the toils of the sin thesis and the problem antithesis, found it particularly difficult to create an adequate synthesis. Their rhetoric showed this up very clearly. Popular preachers and theologians, searching for ways of describing God's activity, turned from traditional dogmatics to such fields as medicine, making God out to be a Great Doctor, and then to railways, turning him into a Divine Engineer (sin could be equated with a dislocated joint and a derailment in the same breath)[1] and in practical terms, 'the visitation of the minister' could be described, in an Assembly Report, as an opportunity, 'when practical advice can be given as to ventilating, drains, etc.',[2] as well as for more traditional pastoral activities.

If the new Evangelicals brought Puritanism back then, it was a new kind of Puritanism; and the admission that there were social problems as well as sins to be dealt with, although the admission was limited, and although many social problems, perhaps many of the most important, were overlooked, pointed to a change in the churches' strategy as far as moulding the morals of the people was concerned. It was now to involve an attempt to raise the moral tone, as it was called, of society, partly through the kind of legislation temperance and Sabbath enthusiasts pressed for, and partly by the preaching of the Evangelical Gospel and morality. The aim was to change public opinion by any means possible: speeches, preaching, tracts, revivals, meetings, causes, movements. The problem lay not so much in finding respectable persons to organise all this, but in getting to the non-respect-

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1. Metaphors of this kind were frequently used by W.G. Blaikie, the Free Church Professor of Pastoral Theology who was born in 1820, ' a few months after the Queen', as he put it (Autobiography: Recollections of a Busy Life, 1901, p.1), and died in 1899. See his best seller: Better Days for Working People, 1867, passim.
2. C. of S.G.A.R., 1881, p.480.

able audience. Before looking more closely at the Scottish churches' pronouncements on sexual questions it may therefore be useful to consider first of all some aspects of their relation to this larger society which Evangelicals wished to make respectable.

CHAPTER TWO:

THE CHURCH AND SCOTTISH SOCIETY IN THE NINETEENTH CENTURY.

1. The Breakdown of the Urban Parish.

Even before the Disruption it was clear that it was going to be almost impossible to mould the morals of the non-churchgoing urban population. In Glasgow during the early twenties Thomas Chalmers had made a brave effort to operate the traditional parish system in his St. John's experiment. But, as one of them commented, Chalmers' followers simply did not know 'what to do with immorality and drunkenness'.[1] In Edinburgh, in the late thirties, Thomas Guthrie had come with similar ideals from a rural parish, only three of whose thousand inhabitants did not attend church,[2] to Greyfriars Church. Although Greyfriars had a large and fashionable congregation, the first hundred and fifty parishioners Guthrie visited yielded only five who attended any church. He therefore followed Chalmers' principles and was soon minister of a new church extension parish carved out of Greyfriars in an attempt to make the parish system manageable. But his new church was not built until 1840, and the Disruption three years later effectively destroyed all hope of fulfilling his and Chalmers' dream of an adequate territorial ministry.

Chalmers and Guthrie, however, were exceptions and although two hundred new churches were erected in the pre-Disruption church extension scheme, the church had awakened to its responsibilities too late and its response was too little. When in the two years after the Disruption the Free Church built 500 churches, this only served to point up what might have been done

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1. William Collins, quoted in W. Ferguson: op.cit., p.313.
2. Although there were also 'two or three as bad, immoral fellows as were to be found in the whole country' who 'were never out of church'. Autobiography and Memoir of Thomas Guthrie, ed. Guthrie & Guthrie, 1877, p.105.

by an undivided church. In 1867 Guthrie still hoped that the situation could be put right, and wrote:

> 'Let the ministers or representatives of the different denominations within the city - Episcopalian, Baptist and Independent, United Presbyterian, Free Church and Established Church - meet, and form themselves into a real working Evangelical Alliance. Agreeing to regard all old divisions of parishes with an ecclesiastical right over their inhabitants as nowadays a nullity - and, so far as these are preventing Christian co-operation, and the salvation of the people, as worse than a nullity - let them map out the dark and destitute districts of the city, assigning a district to each congregation. Let each congregation then go to work upon their own part of the field, and giving each some five hundred souls to care for, you would thus cover "the nakedness of the land".' 1

But it was a vain hope. The wasted effort was on a massive scale. It was estimated in 1870[2] that if every church-going individual in the total population (that is, the total population less one-sixth to represent the lapsed masses and one third of the remainder to represent children under twelve) 'were to worship at one time, which never is or can be done, there would still be a church for every 524 of them'. Robert Wallace, who made this estimate, considered this was

> 'a fact which, in view of the much larger accommodation actually provided, indicates a very considerable waste of clerical power, and justifies, on the ground of economy at least, the efforts of those who seek to promote ecclesiastical unity.' 3

2. The Missionary Alternative.

The churches then, as the founder of the Glasgow City Mission remarked,

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1. Guthrie: op.cit., p.323.
2. R. Wallace: op.cit., p.187.
3. Ibid., p.188.

were 'not doing their duty'.[1] If they had been, he continued, there would be no need for City Missions. In the absence of an adequate territorial ministry, therefore, such missions sought to do something for the lapsed masses of the cities.

The home missionary movement was helped by the example of modern foreign missions, which had begun at about the same time, were flourishing by the fifties and provided inspiring examples with which to fill out the missionary metaphor. Foreign and home missions also had two other aspects in common: an acceptance of fundamental class distinctions, racial in the one case, social in the other, by many of their agents and those who supported them; and a tendency to operate through a great variety of agencies and societies, some of them only loosely connected with the churches. In the case of home missions these two aspects of their operations led to difficulties.

The acceptance of social class distinctions in urban missionary activity was recognised, by the eighteen-nineties, as a major blunder. The Commission on the Religious Condition of the People, reporting to the General Assembly of the Church of Scotland in 1896, wrote that the cities were divided into wealthy, middle-class and working-class zones and that 'between the first and the last of these divisions there is a great gulf fixed'.[2] Although (with perhaps an unconscious reference to the part played by the P. & O. in foreign missions) the Commission wrote that 'many boats of Christian compassion are ever plying in that gulf', it complained that

> 'the house of God, which ought to be the meeting-place for rich and poor - the house in which all are equal - is in the city too often the sign of the distance by which they are apart. More and

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1. David Nasmith, quoted in D. MacColl: Among the Masses; or, Work in the Wynds, 1867, p.59.
2. C. of S.G.A.R., 1896 (R.C. of P.), p.808.

> more the richer are worshipping by themselves and the poorer by themselves - an unspeakable loss to both and to the Church of Christ.' 1

The missionary strategy of the churches at home the, far from reclaiming the lapsed masses, seemed to be reinforcing those social barriers which made such reclamation so difficult.

The tendency of home missions to operate through a great variety of agencies and societies also created problems. The missionary situation in cities was confused, because in addition to the congregations and parishes of the more respectable denominations which might be found in the city centre (in Edinburgh, after the Disruption, Chalmers and Guthrie were both trying to operate their Free churches - in the West Port and on Castle Hill - as if they were parish churches), and in addition to missionary activities organised by them, there were increasing numbers of strange sectarian bodies, and as well as these there were many missionary, charitable and philanthropic societies, working independently and not co-operating. Every observation of a new area of need, it seemed, created the need for a new agency. Some efforts at co-operation between religious denominations in home missionary activity were of course successful. The Temperance Movement, although not all ministers, especially at first, were agreed about total abstinence, was able to bring Free Churchmen and Church of Scotland ministers back under the same umbrella; and an 'Association for the Suppression of Drunkenness', formed by them, among others, in Edinburgh in 1850, helped bring about the Forbes Mackenzie Act of 1853 which closed public-houses on Sundays and limited drinking time during

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1. Ibid. The Commission found it difficult to know what to do about the situation. It supported the idea of University Settlements, of which Oxford had one in London, and approved of the Salvation Army's Slum Sisters. Tentatively, and perhaps foreseeing opposition, it suggested that a 'beginning might be made by the planting of houses for the clergy and Christian workers in the denser parts of city parishes'. But then Guthrie had written sixty years earlier, (Guthrie: op.cit., p.309) 'if a man won't live among the scum of the Cowgate, I would say at once to him "You can't be its minister"'.

the week.[1] This, and later in the century, the stricter enforcement of laws against street-walking by prostitutes[2] helped to clean up the streets, but did not get to the roots of the problem. Attempts to do something more radical such as Guthrie's Ragged Schools, were hampered, despite the participation of most non-Roman Catholic denominations in their work, partly by controversy with Catholics and partly by the Government's unwillingness to subsidise and supplement the education of vagrant as well as criminal children.[3] There were many children of both classes in the cities during the middle of the century, begging, stealing, wandering about and spending the night in police offices; and while Guthrie's Ragged School movement helped some of them to become respectable citizens, a much larger degree of caring, protective and preventive activity was needed.

This situation was desperate enough in many people's eyes even to justify such schemes as that organised by the Free Church Professor W.G. Blaikie and his wife, who sent children from the Edinburgh slums to Canada, either to be adopted or employed by settlers. Between 1870 and 1890 the Blaikies were emigrating up to 809 children a year: orphans, deserted children, or those whose parents were 'drunken and ill-doing', were sent, and inevitably there was criticism. A drunk woman turned up at the Caledonian Railway station denouncing Mrs. Blaikie 'for stealing the children of honest folk and selling them to foreigners',[4] and tried to get her daughter off the train. Blaikie tried to talk her out of it and 'a report was circulated that I had bribed her to be quiet'.[5] There was also some press criticism, and while the scheme was vindicated by an official Canadian Government enquiry, Blaikie admitted that they did not apply pressure on parents to let their children go

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1. Vide J.R. Fleming: op.cit., vol, i, p.80.
2. Vide W. Logan: The Great Social Evil, 1871, p.179.
3. Vide Guthrie: op.cit., Ch. VII.
4. Blaikie: (Autobiography) op.cit., p.329.
5. Ibid.

(consent had to be in writing, and the parents had the right to withdraw it),

> 'without a certain qualm that we were interfering with the law of nature. We could but fall back on the principle, that extreme evils require extreme remedies'. 1

And, as has already been noted, these extreme remedies were applied by a great variety of agencies. When the Blaikies first thought of this scheme they tried to persuade existing agencies to take it on because, as Blaikie put it, Edinburgh was 'already overrun with a whole legion of charitable societies'.[2] They all refused. And some argued that by emigration they 'might produce a scarcity of home labour that would embarrass employers'.[3]

The confusion of missionary and philanthropic work in the cities seems to have become worse rather than better as the century went on. Certainly, twenty years later, the Commission on the Religious Condition of the People found that things had not improved. Visiting central Edinburgh in the winter of 1892 they discovered that in the Grassmarket, Mothers' Meetings, each organised by a different agency, gave away tea, bread, butter, rugs and blankets on Mondays, old clothes, boots and shoes 'at nominal prices' on Tuesdays, and cups of tea, bread and butter and jugs of milk for the children on Wednesdays. There were at least three other such meetings in the Grassmarket (whose peculiar bounty and day of meeting were not recorded in the report), and many of the women who lived in the area also went to other meetings in other parts of the city. The same pattern, according to the Commission, characterised other cities, and they complained that 'well-meant benevolence fails to accomplish the good it should accomplish' because its methods were indiscriminate and 'inadequate to reach the seats of social evil'.[4]

Missionary activity among the unchurched urban working classes and the

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1. Ibid, p.328.
2. Ibid, p.316.
3. Ibid.
4. C. of S.G.A.R., 1893. (R.C. of P.),pp.1087ff.

poor, then, did not provide the churches with ways of exercising social control over them: the desire to do so was frustrated by the scale of the problems involved and by the nature and multiplicity of the methods employed by the churches and other agencies. The feeling that they were missionary-explorers confronted by a new, threatening, and incomprehensible Scotland was graphically expressed in the metaphors used by those involved. Guthrie, contrasting the Cowgate with his rural parish, compared his experience of the former with going down into a coal-pit, and on another occasion in 1838 declared, after visiting in that area, that

> 'I have come up the College Wynd with the idea that I might as well have gone to be a missionary among the Hindoos on the banks of the Ganges'. 1

To a Glasgow minister, writing in 1867, the slums,

> 'seemed like a great marsh, the lowest level physically and morally in the city. It was impossible to drain and dress it, so long as the higher levels around it on all sides continued to overflow and empty themselves here'. 2

This minister, Mr. McColl, was afraid lest

> 'the black seething bog might burst upon the green fruitful borders that were still with difficulty retained'; 3

and he longed for 'detailed husbandry' and 'large engineering schemes' so that 'those waste areas might be reclaimed'. But, although in the event this was what happened, it happened literally rather than metaphorically. The worst slums were demolished to make room for a railway station and the problem moved elsewhere.

In one sense, of course, those who were engaged in missionary work in

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1. Guthrie: op.cit., p.313. He is credited by his biographers (ibid. p.441) with the invention of the term 'City Arabs'.
2. D. MacColl: op.cit., p.196.
3. Ibid., p.81.

the cities were going into foreign territory, since these inner-city areas had a large population of Irish Catholics, whose priests did not attend to them as faithfully earlier in the century as they would later. The presence of Catholics in the slums did little to help the situation, since anti-Catholicism brought out the worst in many Presbyterians. (Vitriolic as some anti-Catholic propaganda, particularly that of the Free Church, was, not all Free Churchmen were equally culpable: the Glasgow minister just quoted, faced during the 'sixties with rioting Catholics at his open-air services (aggravated no doubt, as he admitted, by his inflammatory choice of psalms), rejected the assistance of Orangemen who wanted a fight, telling them that the gospel 'was not meant to break men's heads, but hearts'.[1] The fault seems to have been on both sides, only it was no doubt worse for the Catholics because there were so many Presbyterians.)

3. The Respectable Working Class.

The churches could not, then, exercise any effective social control over the morals of many of the working class who lived in the centres of large cities. What influence they had over working men and women in more respectable parts of cities and large towns, or in mining and other industrial areas is harder to say. Clearly, during the second half of the century there were some working people in the churches of the urban and industrial areas: a report from five Glasgow congregations of the Free Church in 1881 states that 'the office-bearers are almost all labourers, trades people or otherwise employed daily for long hours',[2] and even given that not everyone in these categories might have been working-class (it could have included shopkeepers, for example), the statement suggests that members of the working classes could

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1. D. MacColl: op.cit., p.327.
2. F.C.G.A.P. & D. 1881, R. & M.R. Appendix.

reach the eldership,[1] so that there must have been some of them in the congregations. During the last thirty years of the century Free Church congregations in the towns also took pride in reporting the numbers of domestic servants who attended regularly and regularly subscribed to the funds of the church.[2] But there may have been an element of coercion in the attendance of domestic servants; and the Free Church's view of working-class attendance in general was not very sanguine, especially as Howie, their statistician, showed a growth in the overall number of those who did not attend any church during this period from 16.97 per cent. in 1876 to 26.54 per cent. in 1881, to 37.72 per cent. in 1891.[3] On the distribution of non-attenders, a report from the Synod of Fife in 1870 to the Free Church's Committee on Religion and Morals expressed the opinion that, in the towns, while atheism and open opposition to the churches (which had been evident there earlier in the century) was dying out, there were many 'nominal' Christians, and many more who had no connection with any church; that, in the mining areas, while most miners professed to belong to a church and wanted baptism for their children, only about a fifth were church-goers; that the fishing population were much affected by revivals (other reports of this committee suggest that this led, too often for the Free Church to be happy with it, to fishermen joining revivalist and other sects rather than the Free Church - although this was more evident farther north); and that shepherds and cattle-feeders found it hard to get away from work to church (other reports suggest that it would be the Establishment rather than the Free Church which they would attend in any case). The Synod was more reticent about the churchgoing habits of factory

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1. But cf. A.A. Maclaren: 'Presbyterianism and the working class in a mid-nineteenth century city', Scottish Historical Review, vol. 46 (1967), pp.115ff. - a study of Aberdeen which suggests that working-class elders were uncommon there. Scattered references in Assembly Reports, throughout the second half of the century, to the difficulty of finding suitable elders seem to support this.
2. E.g. F.C.G.A.P. & D., 1871, R. & M. R., p.30.
3. R. Howie: The Churches and the Churchless in Scotland, 1893, pp.118-119.

workers and handloom weavers, although it acknowledged that both classes were highly intelligent![1]

Reports of this kind are not however sufficiently informative about the churchgoing or non-churchgoing habits of the urban and industrial working classes outside the slum districts of the large cities to provide a comprehensive picture of the country as a whole during the second half of the nineteenth century. What was true of Fife in 1870, or at least how things seemed in Fife through Free Church eyes, might well not have been true of other parts of Scotland. (Fife was not, for example, a place where the Free Church was very strong, at least not around 1880 when there were more U.P. than Free Church members in most of its Presbyteries, and the Establishment had about half as many members again as the combined Free Church and U.P. total.[2] A different picture would be presented, for example, by the Presbytery of Greenock, which would also have had a sizeable urban working-class population, but where, again around 1880, there were about 2,000 more Free Church members than U.P.s; and Establishment members were about 2,000 less than the combined total of Free Church and U.P.s. Again, the total number of Establishment, Free and U.P. members in Greenock Presbytery represented about one-fifth of the total population within the Presbytery's bounds, compared with between one-third and a quarter in, for example, the Fife Presbytery of Dunfermline.)[3] At present then we are not in a position, nor is this the place, to assess the overall influence of the church over the more respectable members of the working class during this period. But before turning from this subject two further reports may be mentioned which shed a little more light on late nineteenth and early twentieth century Scottish working class attitudes to the churches.

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1. F.C.G.A.P. & D., 1870. R. & M.R., pp.12ff.
2. Vide Howie: op.cit., p.38.
3. Ibid., pp. 36 & 37.

During the eighteen-nineties the Church of Scotland Commission on the Religious Condition of the People went round Scotland gathering information of various kinds about church and society. The Commission made the most comprehensive enquiry of its kind into such subjects to be attempted by the churches during the second half of the century. Other committees had been gathering information about similar subjects during this period: the Free Church's Committee on Religion and Morals had been investigating the religious condition of the country since the early sixties, when it was established as a follow-up to the Revivals of 1859-1861, and the Church of Scotland's Committee on Christian Life and Work, which was appointed in 1869, again to some extent as a result of revival movements (but more out of anxiety about the loss in membership they caused the Establishment than was the case in the Free Church, although it too was concerned about the growth of sects) also sent out queries and deputations. These committees helped the churches to devise new structures for their work and to extend the amount of control exercised by the central bureaucracy over congregations. The Commission, then, was in this tradition, but also represented a greater degree of concern about the growing numbers who were lapsing from (it might more accurately be said, the growing numbers who were not joining) the churches.

The Commission, although suspicious of statistics and any interpretation which might be put upon them, divided Scotland into four types of district: fishing villages, rural districts, mining districts and the larger towns and cities, and reported that non-churchgoing was greatest in the last two types.[1] In the mining districts of Lanarkshire it amounted to more than a quarter of the Protestant population and in Fife to the majority. Estimates for the cities were vaguer. The Presbytery of Edinburgh had estimated non-churchgoing within its bounds in 1890 as between 3 and 33 per cent., an estimate

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1. C. of S.G.A.R., 1896 (R.C. of P.) pp.819ff.

the Commission, comparing it with more detailed estimates from Glasgow and Aberdeen, considered to be too low. It had, after all, been calculated that in Glasgow 'a very large proportion, if not a half, of the young men of the city, have no special relation to the Christian Church'.[1] The population of the fishing villages, by contrast, were much more religious, although, as has already been noted, this led them away from regular denominations to revivalist sects, especially in the North East, while in the country

> 'the answer almost invariably given by kirk-sessions of purely rural parishes was, that indifference to the ordinances of the Church does not prevail to any great extent'. 2

Church attendance in rural areas then, even though it was not ideal, for there were complaints about irregularity of attendance, was much more satisfactory than in the urban and industrial areas. In analysing the causes of non-churchgoing the Commission made clear, by implication, that it was primarily concerned with the working classes. Sunday labour was examined and was considered to be less of a deterrent to churchgoing than the effect of long hours of week-day, and especially Saturday employment. Sports too were scrutinised, especially attendance at football matches on Saturdays. These and Sunday bicycling and excursions were thought to be more serious deterrents. How far pew rents deterred potential worshippers was also a controversial subject, about which there were conflicting opinions in the Church. Since these deterrents primarily affected the less affluent members of the population, it seems that it was this class whose lapsing worried the Church of Scotland most. This, however, was denied by the Commission, which stated that

> 'The "lapsed masses" - to use the objectionable phrase so often repeated - do not belong exclusively to any order, lower or higher. An

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1. C. of S.G.A.R., 1896 (R.C. of P.) p.823.
2. Ibid., p.821.

> Edinburgh clergyman, as the result of his experience, stated "that the amount of non-churchgoing among the working classes has been exaggerated, and that too little account is taken of it among the upper and professional classes". Whatever may be said as to the former part of this statement, a timely word is spoken in the latter. It may be doubted whether the lapse is not as great and is not more on the increase, in the wealthier or more cultured portions of the community. The West Ends need their missions and missioners no less than the East Ends.' 1

This may well have been true, since the significant decline in working-class church attendance probably took place well before 1890, and since middle-class lapsing probably only became significant at around that time. But since working-class lapsing was on a greater scale, and since, as has already been noted, the church was beginning to criticise itself for its acceptance of class distinctions, comments of this kind do not remove the impression that it was working-class lapsing which the church was most interested in. The lapsed middle-classes were, after all, less likely to become unrespectable than the lapsed working classes.

A final point to be noted here in connection with the Commission's report is that like the Free Synod of Fife a quarter of a century earlier, it did not believe that the problem of non-attendance was rooted in what it called 'theoretical and deliberate unbelief'. It lay rather in 'the general free-thinking tendency of our time' and in 'the absence of the right kind of control, and in the right atmosphere in the family'.[2] And among the causative factors it listed:

> 'The pressure of material interests, the excitement caused by questions peculiarly urgent in a transitional period such as the present, the play of new social forces and the opening up of new realms of thought to all through the diffusion of cheap popular literature - these and

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1. Ibid., p.823.
2. Ibid., p.827.

> other circumstances give additional force to the trend which bears away from the spiritual and the eternal.' 1

The churches' influence over the working classes then obviously was giving rise to a good deal of concern during the second half of the nineteenth century. But when the Great War lifted a few stones the overall picture appeared to be much worse than had been thought. An ecumenical enquiry[2] into a number of issues raised by the war contrasted the official statistics of the membership of all the Scottish churches, given as 63 per cent. of the population, with the findings of research among Scottish soldiers. Its categories were not the most easily measureable, as those who conducted it admitted. What they attempted to estimate was the number of men in and out of 'vital relationship' with the churches. (The suggested criteria of 'vital relationship' were:

> 'Does the man love his Church or congregation, does it mean anything to him as a fellowship and school of knowledge and virtue? Has he a living sympathy with its aims?') 3

What, in turn, they found was that while among Scottish soldiers the number outside vital relationship with the churches was, at about 70 per cent., 10 per cent. lower than that of English soldiers, the number of Scottish soldiers in this category who came from cities was about 80 per cent, compared with English city soldiers at about 89 per cent.[4] In the light of nineteenth century estimates this might not have been entirely unexpected, but it nevertheless represented a very large degree of subjective alienation from the churches. Part of the reason for the great difference between these and the official ecclesiastical statistics was attributed to the fact that the latter included women and 'in Scotland, as elsewhere, the proportion of women members

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1. Ibid.
2. The Army & Religion, ed. D.S. Cairns, 1919.
3. Ibid., p.189.
4. Ibid.

and adherents very considerably exceeds that of men',[1] but the 'aloofness' of the men from the church was very disturbing.

Seeking reasons for this aloofness, those who conducted the enquiry were told that the men were highly critical of the churches, primarily because they were 'out of touch with reality'.[2] Intellectually, the churches, with their 'contending creeds' and their 'unnatural' services, failed to convince the men of the truth of their profession, especially since there was so great a distinction between their profession and their practice. The churches' 'lack of love' was also criticised, and was seen in the 'lack of fellowship' and class distinctions within congregations, in the churches' 'want of sympathy with workers' efforts for social reform' and in 'the confusing and humiliating spectacle of ecclesiastical divisions'[3] which the men found baffling and unnecessary, especially since this made so little sense to 'plain' or 'ordinary' people. The churches were criticised, thirdly, for their 'lack of life', their deadness and bondage to tradition: they were 'too official and "safe"'.[4] And, as far as his men were concerned, an officer of a regiment from the North-East of Scotland remarked, the churches were 'the embodiment of cant'.[5]

The churches then came out of this enquiry very badly, and although war-time conditions allowed these criticisms to come into the open, it cannot be supposed that they were new. The existence of lapsed masses was in itself already an indication that many Scots were either not concerned about salvation, or, more probably, that they thought it perfectly possible 'extra

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1. Ibid., p.191. The enquiry provided no statistics about the relative proportions of male and female members and adherents. Territorial ('largely middle class') battalions had not as high a proportion of men outside vital relationship.
2. Ibid., p.187 and ch. X passim.
3. Ibid., p.213.
4. Ibid., p.187.
5. Ibid., p.229.

ecclesiam'; and the accusation of class consciousness had, as we have seen, already been admitted by the churches. It also seems likely that the internecine feuds of nineteenth century Presbyterianism, and the principles upon which they were conducted, were much less important to the average Scot, even to the average churchgoer, than to those church leaders who spent so much of their time arguing about them. Perhaps indeed there was an undercurrent of scepticism, or even cynicism, about the whole business. Robert Wallace, the minister of Greyfriars, who later became editor of the Scotsman and an M.P., recorded in his autobiography that his father, a Fife gardener and a tolerably religious member of the Church of Scotland, had frequently remarked that the Disruption was 'just the ministers wantin' mair pooer';[1] and in his essay in Recess Studies he commented that the average Scotchman

> 'is practical and cautious, and does not willingly take up an extreme and singular position, especially upon speculative questions. In his secret heart he may, and in very many questions does, rebel against his clergyman if he seems to dogmatise too confidently on the mysteries of theology, but he is disinclined to make any public stand in the matter, and prefers waiting to see what other people will do'. 2

On these grounds, rather than on any theological ones, Wallace believed the majority of Scots acquiesced in Presbyterianism.

> 'The average Presbyterian has no belief in the divine right of Presbytery. He approves of it because it suits him. He assents to it just as he assents to a locomotive engine or a reaping machine; it answers its purpose ... God, he conceives, cannot have spoken miraculously on a mere matter of detail and convenience like church government.' 3

If this picture of the average Presbyterian was near the truth - and the war-time findings which have been quoted suggest that it probably was,

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1. R. Wallace: Life and Last Leaves, (ed. Smith & Wallace), 1903, p.44.
2. Recess Studies, p.188.
3. Ibid. p.204.

there are grounds for suspecting a considerable credibility gap between the leadership of the later nineteenth century churches, with its official version of Christianity, and the people who continued to attend church, with their folk-Presbyterianism. There was of course nothing new in this. The institutional preoccupations of church leaders have by no means always been the preoccupations of the people. But the institutional preoccupations of nineteenth century Presbyterian church leaders, apart perhaps from a few years round about the Disruption, seem to have been singularly out of touch with the preoccupations of many of those whom they led. As far as social control was concerned then, it seems likely that provided the church leadership did not attempt anything too extreme, in practice anything much beyond the osmosis of respectability, then the average Presbyterian would put up with it, and probably even approve of it. As for those who had lapsed, especially those who lived in the industrial and urban areas and were members of the working classes, much of what the church said and did must have seemed a matter of indifference. In times of crisis no doubt the church had its uses - if it knew that the crisis was taking place. It also had its uses for the rites of passage of many working-class Scots. But as far as its disciplinary functions were concerned, it seems likely that the inhabitants of these areas regarded the representatives of the churches as if they were policemen who had mislaid their truncheons, blowing their whistles for help that never came.

4. <u>The Rural Scene</u>.

The churches then were in no position to mould the morals of the majority of the urban and industrial working classes. But what of the rural areas, where, as has already been noted, church attendance and church membership were from the churches' point of view much more satisfactory? This question is of particular relevance here since most of what General Assemblies

said about the subject of sexual behaviour and family life during this period did in fact relate to the rural rather than to the industrial and urban population.

During the first half of the century General Assemblies said comparatively little about social issues of any kind. There is however some evidence that in this period some ministers were beginning to become concerned about the connection between social conditions and sexual behaviour, and that they were beginning to take up issues similar to those mentioned by Aiton. It was perhaps only a straw in the wind, but down in Dumfriesshire, the young James Begg, beginning his ministry in 1830 at the chapel of Maxwelltown,[1] 'heard some statements in regard to the immorality of the district, which, till then, I could scarcely have believed credible'.[2] More will be said about Begg's views in due course: at this time he attributed the immorality he heard of to the influence of eighteenth century Moderatism.

Elsewhere much ministerial concern about social conditions and sexual behaviour was connected with their view of agricultural improvement. Towards the end of the eighteenth century this was changing the pattern of rural society. It made some small farmers large and other dependent on them. Most important, in the eyes of many nineteenth century churchmen, it deprived many families of that stake in the land which was seen as an inducement to respectability. The ministers of agricultural Easter Ross, who were almost all Evangelicals, expressed concern about this in their contributions to the New Statistical Account. The minister of Nigg recorded that

'Three important events have occurred at various

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1. Here Begg came across traces of an earlier and more celebrated practitioner of immorality: he paid frequent pastoral visits to Mrs. Armour, the aged widow of Robert Burns. Although she could no longer be called 'bonnie' Jean, he observed, 'I can quite well imagine that when young she may have been very engaging to an intellectual man'. She was now 'an excellent Christian woman'. Vide T. Smith: Memoir of James Begg, 1885, vol. i, pp.101ff.
2. Ibid., p.98.

> periods since 1694, that have had marked affects on the identity and character of the population. The first of these was the seven years famine betwixt 1694 and 1701 ... The second event is the cruel and unchristian settlement of a minister, in the year 1756 ... The third event is the introduction of the large farm system, about forty years ago.' 1

This third event was complained of also by a number of his colleagues, and David Carment, the well-known Evangelical minister of Rosskeen protested that

> 'The depopulation of the country by large farms is a serious evil and is likely to bring along with it consequences which the landed interest seem not to have contemplated. There is no longer an independent peasantry. The morals of the people are deteriorating by the loss of independence, and their spirits embittered by what they deem oppression. The ties which united master and servant are severed; and when the time comes, to which we look forward with fearful anticipations, it will, we fear, be found that an error has been committed, by grasping too much, at the risk of sooner or later losing all.' 2

The claim that the morals of the people were deteriorating was echoed by other ministers, despite their pride in the district's high reputation among evangelicals, and despite whatever they might say in defence of their own parishioners when it came to the point. The minister of Kiltearn (although he defended his people by saying that a magistrate was rarely needed in the parish) reported that

> 'there is but one opinion as to the fact, that vice and immorality are now more common than formerly. The poverty and degraded state of the lower classes appear to furnish the only rational explanation. In the former state of the parish many occupied that respectable rank which is now confined to a few. These felt an interest in maintaining a good character, and their conduct has a beneficial influence on all immediately under them.' 3

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1. New Statistical Account, 1845, vol. xiv, Ross & Cromarty, p.27.
2. Ibid., p.279.
3. Ibid., p.331.

What specific forms of 'vice and immorality' the minister of Kiltearn had in mind he did not specify. Perhaps he was thinking of the four illegitimate births which had taken place in his parish during the last three years.[1] To some Easter Ross ministers, certainly, any illegimate births would have been seen as a sign of declining morals. Noble, the Free Church minister of Lairg, writing in his chronicle of Religious Life in Ross, in the late nineteenth century, about a 'remarkable religious awakening' in the parish of Rosskeen in 1742-1743, remarked that

> 'It has been said that in a wide district of the parish in which the effects of the revival were most powerfully felt, there was not for many years a single case of illegitimacy. The first instance that happened produced such a sense of shame and sorrow that the people of the locality held meetings for humiliation and confession of sin.' 2

On the other hand, however, the minister of Kiltearn may not have been thinking of anything so specific. As well as furnishing a 'rational explanation' of the declining morals of his parishioners he remarked that some of them

> 'are disposed to ascribe it to the gradual deterioration which this world has physically and morally undergone since men began to record their opinions of the times in which they lived', 3

and such ascriptions probably pre-dated any actual observations.

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1. This number was not dramatically larger than that of other Easter Ross parishes for which a figure was recorded in the New Statistical Account. Only one parish - Tain, had more than ten in the three-year period recorded. The minister of Tain explained that its 15 included 'several cases that were afterwards followed by marriage'. (Ibid.p.292) In those parishes which recorded them, the average number of illegitimate births per annum compared with the total population of each of these parishes was: Tain, 1 for 589; Nigg, 1 for 1400; Kiltearn 1.3 for 1605, (this represented 3 per cent. of the Kiltearn annual birth rate) and Fearn, 1 for 1695. Similar figures were given for some parishes in the Black Isle, nearby: Cromarty, 1 for 1450; Rosemarkie, 1 for 1800 (about 2 per cent. of the annual birth rate); Avoch, about 0.7 for 1936 (1.4 per cent. of the annual birth rate). (Ibid: passim.)
2. J. Noble: Religious Life in Ross, 1909, p.186. The absence of illegitimacy was the only example given here by Noble of improved morals. The only other 'good result' he mentioned was 'an eager desire to learn to read' (ibid).
3. New Statistical Account, op.cit., p.331.

But the opinion that there had been a decline in morals was not universal. The evidence of the ministers indeed was often either curiously ambiguous, as in the case of Dingwall, of whose people it was said that 'the tone of their morality is perhaps rather strict than high',[1] or even self-contradictory. The minister of Nigg, who believed that improvement had been carried out at the 'expense of morals', also stated that the people of his parish 'exhibit a moral character superior, perhaps, to that of any parish which can be named'.[2] And turning to examine his Session records, he observed that these,

> 'for the thirty years succeeding 1705, while they afford abundant evidence of the zeal and faithfulness of ministers and elders in checking vice of every description, are disgusting in the extreme, as exhibiting a frequency and grossness of vice among the people which the succeeding generation would shudder to contemplate'. 3

Across the moray Firth, the minster of the inland agricultural parish of Alvah in Banffshire was equally unimpressed by the morals of the previous century. In 1718, when the population of the parish had been smaller, the records showed that there had been more crime. 'Notwithstanding the severe discipline which the church then exercised' there had been as many illegitimate births in the early eighteenth century as there were at present. (The annual average was now 'one-thirteenth' of '$32^{6}/_{7}$', he noted, with extreme statistical caution.) And these had been 'not infrequently attended with circumstances of a revolting and aggravated description, which are now unheard

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1. Ibid, p.224. (The account of Dingwall was not drawn up by its minister but by a layman with the same surname as the minister.)
2. Ibid., p.31.
3. Ibid., p.32.

of in the parish'.[1]

Other Banffshire ministers were less convinced about moral improvement. The minister of Boindie believed that the morals even of fishermen were deteriorating. In his parish, as elsewhere, they had formerly maintained a 'high reputation for purity'. There had, he claimed, 'scarcely been an illegitimate birth in the memory of man'.[2] But within the last twelve years things had begun to change. Fishermen, however, did not worry him nearly as much as farm-servants. Fishermen were still reasonably respectable: they worked steadily to buy a share in a boat and then a house and furniture (at which point they moved, together with wife and children, for they married early, out of their parents' house). Farm-servants, by contrast, did not go to church, and 'feel themselves independent of public opinion'.[3] As a class they were poorly educated and

> 'with wages varying from L5 to L7 in the half year, they not infrequently enter into the married state; their wives and families being left at a distance without active employment and without the benefit of parental authority and care. Not having the means even of supporting their offspring with adequate food and clothing, they cannot suitably educate them. At the earliest possible age their

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1. New Statistical Account, 1845, vol xiii, Banff, p.166. The number of illegitimate births in this parish was small compared with some Banffshire parishes. Of those which recorded figures, Gamrie had 1 illegitimate birth for every 150 members of its population; Forglen, 1 for 200 and Banff 1 for between 250 and 300. (The Banff figures also represented between 20 and 23 per cent. of the annual birth rate of that parish.) Gartly had 1 for 300 (about 19 per cent. of the annual birth rate); Cabrach and Botrophnie each, 1 for about 350; Deskford, Cullen and Inverkeithney each, about 1 for 500. (In Deskford this was 7 per cent. of the annual birth rate, in Cullen 3.5 per cent.) Given that the annual average in Alvah was 2.5, with a population of 1407, this makes it 1 for 563, near to Kirkmichael at 1 for 550, and greater only than Rothiemay at 1 for 600. There is nothing very obvious to account for the differences between these parishes. Coastal parishes with fishing populations, like Banff and Cullen, could be either high or low. Kirkmichael was a highland parish to the West of the county, but Rothiemay was well to the East and in an area where some parishes had a high proportion of illegitimate births. (Vide ibid, passim.)
2. Ibid., p.232.
3. Ibid.

> children are sent to earn their subsistence, when, removed from all parental oversight, and often neglected by their employers, they perhaps lose any good they have learned, and grow up to furnish new instances of the evils of which we complain.' 1

This vicious circle was made worse by their housing conditions for, while 'the labouring classes suffer generally from their want of opportunity for retirement', farm-servants were even more badly served, and many of them were,

> 'besides, subjected to the powerful demoralizing influence of young persons being congregated in a bothy, or out-kitchen, without either the humanizing ties, or the wholesome restraints, of the domestic institution'. 2

Much more was to be said on this subject in the years which followed.

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1. Ibid., p.233.
2. Ibid.

CHAPTER THREE:

SIN AND SOCIAL CONDITIONS: HOUSING AND MORALITY: 1850-1870.

1. Immorality and Housing: the Free Church.

1.1 Bothies and Bad Housing.

The minister of Boindie's concern about the demoralising effect of life in bothies and out-kitchens was not an isolated example of ecclesiastical interest in this subject. As early as 1839 the Synod of Perth and Stirling had set up a committee to enquire into conditions in bothies, and ten years later the Church of Scotland's Committee To Suppress Intemperance presented a report to the General Assembly which listed the bothy system among the causes of intemperance. This connection had also been made in Banffshire: a minister whose parish included the Glenlivet distilleries wrote in the New Statistical Account that prior to the recent decline in whisky smuggling

> 'the females ... were in the habit of spending no small portion of their time, by night as well as by day, in the bothie, - a prey to the licentious and the immoral'. 1

The fact that this subject had reached the Assembly was in its way something of a breakthrough. Such social aspects of moral issues had not hitherto figured in Assembly business, and it was largely as a result of the success of the Temperance Movement in the 'thirties and 'forties that the breakthrough could be made. The Committee to Suppress Intemperance was set up in 1848, a year after the Free Church had appointed a similar committee. Thereafter temperance enthusiasts were rarely far away from General Assemblies, ready at all times to lay the blame for any social evil or problem at the door of drink, with a singlemindedness paralleled in our own time perhaps only by those who attribute all social phenomena to the economic infrastructure.

The more general terms in which the subject of bothies had been raised

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1. Ibid., p.166.

by the minister of Boindie, however, terms which related as much to housing conditions as to drinking habits, provided the context within which this subject was to be given its first full length examination in a General Assembly; in this case not the General Assembly of the Establishment, although it would soon catch up on the subject, nor the Synod of the United Presbyterians, which did not show so much interest in it, but the General Assembly of the Free Church.

Housing conditions then were the context of this first extended Assembly discussion of rural sexual behaviour. Scottish housing was bad. The great majority of the Scottish people, who had never enjoyed very adequate housing were particularly poorly housed during the first half of the nineteenth century. Houses were overcrowded,[1] and overcrowding became worse. In the cities old houses were made down[2] and cramped new tenements were built; industrial housing outside the cities was little better; even in the countryside it was unsatisfactory. In the rural areas, it was true, cottages had often been improved, but there were not enough of them, and after the Poor Law Act of 1845[3] cottages were actually demolished in order to prevent too many poor persons having a claim upon parish relief. In addition, agricultural improvement, creating large farms and greater numbers of itinerant labourers, presented peculiar problems, which have already been referred to. During this period an increasing amount of information about the quantity and quality of the housing available was gathered by means of census returns and other enquiries such as Aiton's. As a result of all this the churches began to question the connection between the quality of housing and the quality of

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1. The number of persons to every 100 houses were, in 1801: 546 and in 1851: 780. In 1861 one third of the Scottish population was living in one-roomed houses. (R.H. Campbell: Scotland Since 1707, 1965, p.193.)
2. In the overcrowded Old Town of Edinburgh (c.1858) there were 33 deaths per 1000 of the population in one district annually, compared with 12 per 1000 in a comparable district of the more spacious New Town. (F.C.G.A.P.& D. 1859, p.58.)
3. This act also affected families insofar as it refused relief to the wives and children of unemployed men unless they had been deserted by them.

sexual behaviour and family life.

But it was the bothy which first drew the churches' attention to this problem. The bothy was a sort of rural doss-house, and in nineteenth century Scotland it could be found in many shapes and sizes and many degrees of comfort from the 'model bothy' downward. It was particularly useful on large farms where tenants or owners needed to house those itinerant labourers whom they were unable or unwilling to lodge in their own or in their more permanent workers' houses. Most inhabitants of bothies were unmarried men, but sometimes they were women and sometimes the accommodation was mixed.

Many contemporary writers were critical of bothies, and there are many descriptions of just how unpleasant life in them could be. But bothies seem to have varied greatly in quality, and they had their defenders. The convenor of the committee which the Synod of Perth and Stirling had set up in 1839 told the Free Church Assembly nineteen years later that although the general circumstances of bothy life, even despite recent improvements, were 'highly unfavourable', the men who lived in them 'afford some of the finest specimens of our Scottish peasantry', and that as long as some farm workers were unmarried, bothies on large farms were probably unavoidable.[1]

Another member of the Free Church was also taking an interest in bothies. James Begg, the Free Church minister who might be loved or hated but never ignored, had developed an interest in housing in his rural parish of Liberton, near Edinburgh, during the 'thirties, and soon he was spending his holidays in extensive visits to city slums and a variety of experimental housing schemes. Begg believed that the housing problem in the cities could only be solved by the working classes becoming their own landlords. To achieve this end, he argued, there would have to be changes in the law,

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1. F.C.G.A.P. & D., 1858, pp.238ff. This speaker (Dr. Grierson) had twenty bothies in his parish, each containing two to eight unmarried men.

facilitating the cheap and easy purchase of sites and the development of co-operative building and investment societies. Rural housing, however, he believed, was the responsibility of the landowners, although here too legal changes, especially in the law of entail, were a necessary prerequisite of progress.

During the 'fifties Begg's interest in this subject grew and by the early part of 1858, after ten years of propagandizing inside and outside the church, he was still busily agitating the question both in the Synod of Lothian and Tweeddale and in the columns of the Free Church newspaper, The Witness, whose late editor, Hugh Miller, had also been a critic of bothies. Writing in January 1858 Begg blamed the bothy system for 'drunkenness, profligacy and crime',[1] and in May he informed the Synod that he believed there was a connection between the system and rural illegitimacy.[2]

1.2 Illegitimacy and Infanticide.

In choosing to attach the bothy system on these grounds, Begg showed that he was a clever publicist, for drink,[3] infanticide and illegitimacy were all live issues at the time, and whether or not a connection between them and the bothy system could be proved, the suggestion that one existed directed public attention to the subject, at least until the connection could be disproved. The churches least of all could take lightly allegations concerning drunkenness and sexual immorality, subjects which had so often been pronounced upon by their predecessors.

Infanticide and illegitimacy in particular were controversial subjects in 1858. Some time before this there had been rumours that numerous cases

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1. The Witness, January 23, 1858.
2. Vide The Witness, May 5, 1858.
3. The Forbes Mackenzie Act had come into force in 1854 and the Temperance Movement was now in full swing.

of infanticide were escaping detection,[1] and in 1858 the crime was discovered and on a number of occasions brought to court with a good deal of publicity.[2] Illegitimacy also became a subject of much discussion at this time because the Registration of Births, Deaths and Marriages (Scotland) Act of 1854 had made it possible for the Registrar-General for Scotland to quantify, for the first time, its overall incidence. Statistics which he published in March 1858 'took the public mind by surprise', as a speaker reminded the Free Church Assembly in the following year, and it was perhaps characteristic of the nature of this public response, which Begg was able to make use of, that this speaker continued:

> 'For himself, he might say that, although a Sheriff of a country and having large opportunities of knowing a great deal of the subject, still he had been completely appalled by the extent to which the evil seemed to have reached over the whole country.' 3

The overall extent of illegitimacy in Scotland as revealed by the Registrar was nine per cent. of all births. But what was worse, was that this percentage was higher than that of England and several other European countries. Equally shocking, and later statistics from the same source only confirmed this picture as they expanded it,[4] was that the illegitimacy rate was substantially higher in some rural areas than in the towns. These statistics gave rise to a good deal of press criticism of the churches for

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1, Vide T. Ferguson: The Dawn of Scottish Social Welfare, 1948, p.286.
2. Vide The Witness, March 27, 1858.
3. F.C.G.A. P. & D., 1859, p.68. The speaker, Alex Earle Monteith, was Sheriff of Fife, which had its fair share of illegitimacy. But how far was his attitude an example of the mannered naivety sometimes displayed by the members of his profession?
4. When a fuller picture was available in 1859 the southwestern as well as the northeastern counties of Scotland were seen to have the highest illegitimacy rates. The counties of Edinburgh and Lanark, for example, had rates of 8.3 per cent. and 7 per cent. respectively, whereas the respective rates for Wigton and Banff were 15.5 per cent. and 16.6 per cent.

falling down on their job, and according to the Sheriff, newspapers 'represented Scotland as a hypocritical country - as a country in which theology had no corresponding morality'.[1] To allege then, as Begg did, that rural illegitimacy and sexual immorality in general were connected with housing conditions, was an effective way of getting the church to think about the latter.

Not surprisingly therefore, Begg succeeded in persuading the Synod of Lothian and Tweeddale to bring an overture on 'Houses for the Working Classes and the Bothy System' to the Assembly of the Free Church in May 1858, and not surprisingly the Free Church agreed to set up a committee 'in regard to the Housing of the Working Classes' with Begg as its convenor. Even The Witness, in an editorial three days after it had published the Registrar's statistics (and in the ongoing excitement of an infanticide trial in which the law had been lax and a 'minister and laymen were ready to bear witness' to the good character of a girl who 'had in her possession means avowedly intended to procure abortion'), had taken the church to task for its weakness:

> 'There was a day in Scotland when the discipline of her church was powerful to suppress that vice of unchastity which now makes her hang her head in the presence of England. Has the refinement of the age smoothed down Presbyterian discipline until it inspires no dread and produces no effect? Or do our ministers find it impossible to deal so closely in their public ministrations as to bear directly and potently on this vice? Or are our social arrangements calculated to make our country population more immoral than that of England? Or is Scotch law so loose on the subject of marriage, that certain forms of unchastity are hardly recognised, and that the cause may be almost accidental whose ultimate effect is murder? We believe that each of these questions may point out some producing cause of the fearful evils which we deplore; and the time has come when Scotland should put every weapon of law, religion and social improvement in operation in order to retain - we fear we ought to say

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1. F.C.G.A. P. & D., 1859, p.67.

regain - her character as a moral nation.' 1

Begg's committee was ready to deal with these questions.

1.3 Housing, Sin and Politics.

This committee, later known as the Committee on 'Houses for the Working Classes in Connection with Social Morality',[2] met from 1858 until 1867 and during this period brought a great variety of subjects connected in one way or another with housing to the notice of the General Assembly.[3] Among these subjects infanticide was not included, and indeed seems, after 1858, to have dropped almost entirely out of the churches' sphere of interest. Illegitimacy, however, was discussed at length, particularly between 1859 and 1864, but in 1863 the Committee on Religion and Morals began to investigate this subject, stealing some of Begg's thunder,[4] and in 1864 the controversy surrounding illegitimacy in Scotland was somewhat deflated by the discovery that because the English Registrar-General had been failing to record up to 20,000 illegitimate births each year, the English illegitimacy rate had in fact been greater than that of Scotland.[5] The discovery that it had all

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1. The Witness, March 27, 1858.
2. The Assembly had another committee in 1860 and 1861 on 'The Causes and Remedies of Social Evils'. This, however, added nothing significant to the findings of the Housing Committee.
3. These reports were much more concerned with the rural situation than that of the towns, and contain very little about sexual behaviour or family life in the latter. There is however in the 1862 report some reference to, on the one hand, prostitution and, on the other, slum conditions affecting family life in the Edinburgh Canongate. (F.C.G.A. P.& D., 1862 Housing Report, Appendix II.) And in the debate on this report Begg remarked, apropos of the famous collapsing tenement of 1861: 'He would rejoice, though it seemed strange matter for rejoicing, if that dreadful event which hurried so many away into a premature eternity recently in the High Street were followed by practical measures' (ibid., p.187).
4. Although Begg was a member of this committee also. He was, in fact, in 1861 a member of 25 of the Assembly's 40 committees. Only Candlish, who was a member of 27 Assembly committees, beat this record.
5. In England there was 1 illegitimate birth for every 35 unmarried women between 15 and 45, in Scotland 1 for every 41.1 (figures for 1861). (F.C.G.A. P.& D., 1864, Housing Report Appendix IX, p.25. These conclusions however were questioned by the Royal Commission on the Marriage Laws (see below, Ch.4, 3.4).

been a statistical mistake could not hold back the Committee on Religion and Morals in its pursuit of information about immorality, now that it had the bit between its teeth, but its activities in this sphere took the form of a routine rural ride rather than that of a breathless chase.

After 1864 the Housing Committee also had less to say about illegitimacy. It appears to have been very much a one-horse committee, and in 1865 its convenor narrowly escaped death in a railway accident in March only to be made Moderator in May. There was consequently no Housing Report that year, and although reports appeared again in 1866 and 1867, they had less to say about immorality and illegitimacy. Perhaps because of this, their political content stood out in greater relief. The Housing Reports had always been political, and may have contributed in some way to the change in the law of entail which in 1860 made it easier to erect cottages. But Begg's interests were always more far-reaching, and he did not hesitate to attack those, especially landowners and lawyers, who obstructed his reforming path. Begg's political enthusiasms were not, however, shared by many of his contemporaries in the Free Church, and even those who were sympathetic to some of his ideas wished that he would not drag all these secular details into the Courts of the Church. Their suspicion of Begg was summed up by W.G. Blaikie who, in the Free Church Assembly of 1864, after a great deal of abstract theorising on the churches' relation to secular matters, got down to brass tacks and said that he 'had the greatest pleasure in seeing and hearing Dr. Begg express his views on the details of all these topics <u>outside</u> the Church'.[1]

To the end, or at least until 1867, Begg rejected this view of the Church, and claimed that

> 'the social reformer and the Christian minister must not only combine in seeking to alleviate

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1. F.C.G.A. P. & D., 1864, p.325 (my italics).

> and remove the destruction of many generations,
> but they must be combined in the same individuals'. 1

He had, he believed, the weight of the church's history behind him, and cited Knox and Chalmers in his defence, and against the 'spiritual canker' which had

> 'invaded many in all parts of the Protestant church - not only the idea that the ministers of Christ have nothing to do with such so-called secular matters as the houses of the people, but that to manifest an utter indifference on the whole subject is a mark of superior sanctity'. 2

It particularly pained Begg that even Romish priests took more interest in the condition of the working classes. Despite this, however, he agreed in 1867 that 'public attention was now thoroughly alive on the subject', and recommended that the Assembly discharge the committee.[3]

Public opinion may have been aroused, but how effective this arousal was is questionable, since a Royal Commission on housing, which Begg's committee frequently advocated and for which the Free Church Assembly petitioned Parliament in 1862, had to wait until the 1880's, and housing remained a major social problem in Scotland well into the twentieth century,[4] while bothies were still being scourged by Scottish churchmen in the years immediately before the Great War.[5] No doubt the Housing Committee helped to some extent by publicising the problem. In 1867, however, Begg had other causes to press[6] and although he continued to keep a watching brief upon this subject and that of immorality his major contribution to them had now been made.

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1. F.C.G.A. P.& D., 1867, Housing Report, p.7.
2. F.C.G.A. P.& D., 1862, Housing Report, p.12.
3. F.C.G.A. P.& D., 1867, p.485.
4. Vide R.H. Campbell; op.cit., pp.301-310.
5. Vide W.S. Bruce: Social Aspects of Christian Morality, 1905, p.85 fn.
6. Never a man to put all his rhetoric in one basket, Begg was also attacking Sabbath desecration, organs and Romanism. Against the latter in particular he could summon the power of unparalleled invective. In 1861 he informed the Assembly, which had just approved his Housing Report, of the thirty agents, 'almost all perverts from the Church of England' of Brompton Oratory, where 'there was a billiard-room ... employed for the purpose of carrying young men from Protestantism to Rome'. F.C.G.A. P.& D., 1861, p.324.

But the history of Begg and the Housing Committee has been dealt with elsewhere,[1] and it has been introduced here neither to repeat what has been said about its significance as an early and abortive example of the so-called recovery of the church's social criticism, nor in order to shed light on the character of Begg, although he undoubtedly was one of the most interesting if not the most likeable of Scottish nineteenth century churchmen, but rather to discover what it can tell us about the attitude to sexual behaviour of the church which, as long as it owned this committee, gave tacit approval to its pronouncements.

So far then we have seen something of the circumstances in which the Free Church took up the question of housing. How far the 1858 illegitimacy statistics were responsible for this, or how far a broader interest in working class housing was the decisive factor is impossible to say. But the way in which the level of the Assembly's interest in rural housing dropped, once illegitimacy seemed less of a threat and once that subject was being dealt with by the Religion and Morals committee, suggests that it was illegitimacy rather than housing in which the Assembly was primarily interested.[2]

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1. T. Smith: Memoir of James Begg, 1885, 2 vols; S. Mechie: The Church and Scottish Social Development, 1780-1870, 1960; D.H. Bishop: Church & Society (Unpublished Edinburgh Ph.D. Thesis, 1952) and D.C. Smith: The Failure and Recovery of Social Criticism in the Scottish Church (Unpublished Edinburgh Ph.D. Thesis, 1964).
2. Begg's general point about there being a connection between overcrowding and slum conditions (whether rural or urban) on the one hand and morals on the other was however taken by many of his colleagues and reference to it thereafter, as we shall see, became obligatory. For example, Blaikie wrote (c.1867):

   > 'The late census has brought out the appalling fact, that no fewer than a million of the people of Scotland have dwellings of but one apartment, where, obviously, in the case of families, no attempt can be made at the separation of the sexes. Like Mrs. Bayly, we instinctively exclaim, when this fact is brought before us, It is of the Lord's mercies we are not consumed; it is amazing, when we consider the influence for evil of this one arrangement, that virtue and chastity survive at all.'

   Blaikie: op.cit., p.176. (The reference is to the census of 1861. The churches were, as will be seen in part 3, also concerned with incest, which has some bearing on this. Mrs. Bayly was another popular writer of the time.)

1.4 The Moral Epidemic.

Why was the church so concerned about illegitimacy? The accusation of hypocrisy and failure on the church's part was obviously one factor. Another was the threat of what were believed to be the consequences of illegitimacy, social, economic and even eschatological. How seriously these were taken remains a matter for speculation about the relation between public oratory and private judgement in the Free Church - a matter particularly of how many grains of salt were taken with the Housing Reports and the speeches of that Committee's convenor.

Begg evidently believed, or purported to believe, that illegitimacy was a 'moral epidemic', and during the period from 1859 to 1864, when he had more or less cornered the Free Church market in illegitimacy, the reports and his speeches were full of variations on the theme of its magnitude and dangers. In 1860, the Housing Report, noting from the Registrar that there had been 9606 illegitimate births in the previous year, stated:

> 'Now at this rate, of nearly 10,000 bastards a year, we shall in ten years have in Scotland nearly 100,000 bastards, or a population of them equal to that of one of our largest cities; a result sufficiently startling, and well fitted to alarm all classes of moral and social reformers.' 1

Not least startling was the expense of illegitimacy. Pauperism, already nearly twice as bad as in England, would certainly increase 'as every bastard is apt to be a beggar',[2] and so, according to Begg's speech in elaboration of this report, would crime, which had already risen by 10 per cent. between 1857 and 1859. Lunacy also would increase, since the number of pauper lunatics had already grown by thirty-six per cent. between 1855 and 1859, and since 'we all know how ... habitual immorality has the effect of unsettling

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1. F.C.G.A. P.& D., 1860, Housing Report, p.4.
2. Ibid. The Superintendent of Poor in Scotland had written in his report for 1858 that a very large and increasing number of women were receiving relief for their illegitimate children. (T. Ferguson: op.cit., p.299.)

the mind and plunging its victims into the dark depths of insanity'.[1] Even death, claimed Begg, quoting the Registrar-General's mortality statistics, was becoming more common.

There were, it seems, few fashionable fears which Begg could not press into service in his speeches on illegitimacy. Including the spectre of revolution. He warned the Assembly of 1859 that there was:

> 'a yawning gulf being gradually established between the various classes of society which, if this European crisis should ever portend disaster to Scotland, may bring us to the brink of a general revolution'. 2

And in the Report of 1860 he followed this up with dark hints that 'the "illegitimates" of the large cities of France, cut loose from all ties of family, constitute to a large extent the "dangerous classes" of that country'.[3]

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1. F.C.G.A.P.& D., 1860, pp.235ff.
2. F.C.G.A.P.& D., 1859, p.65. Begg was considered a dangerous radical by some of his contemporaries and what seems today to be his paternalism was mixed with some appreciation of the feelings of the workers. Obvious though it seems, he had to tell the Assembly that 'it was a thorough mistake to treat working men as if they were a kind of grown-up children'. (Cf. the Religion & Morals Report (F.C.G.A.P.& D., 1870, p.14) which described Fife miners as 'peculiar in their habits, in many ways resembling over-grown children'. This judgement seems to have been based on the miners' enjoyment of a weekly dance on the evening of pay-day.) But Begg disliked revolutionaries. He had perhaps inherited this from his father, who had described the local Lanarkshire Radicals in the early nineteenth century as 'the scum of the earth'. T. Smith: op.cit., vol.i, p.7.
3. F.C.G.A.P.& D., 1860, Housing Report, p.10. But Begg was not the only Free-Churchman able to make his fellow countrymen's flesh creep with stories of French horrors: Blaikie was at it as well: (Better Days for Working People, 1867, pp.193ff.):

   > 'It is a remarkable fact that the countries in Europe in which there is most disorder, are those in which the family constitution is least attended to. We refer to such countries as France, Ireland and Spain. Home is a word hardly understood in Paris. It is not improbable that that the cold-blooded atrocities that make one shudder in reading the accounts of the first French Revolution were largely due to the early loosening of family ties, to the violence done to nature's method of making men "kindly affectionate one to another". If there be one symptom more than another fitted to create alarm for the destinies of our own country, it is the wide-spread evil of parental neglect. Whether it is right to represent it as an increasing evil, we do not know; men are very apt to think that certain evils are increasing when it is that they are bestowing increased attention upon them. Perhaps it is the increased density of the population that makes the evil bulk more largely now than formerly. But whether it be increasing or not, there is enough of it to create much anxiety. In that awful state of darkness and corruption into which the world had sunk before the coming of Christ, the "turning of the hearts of the fathers to the children and of the children to the fathers" is declared to be necessary else God would come and "smite the earth with a curse". To remove the curse and to bring a blessing, let us work and pray for - Home-Sunshine.'

Fortunately for his argument Paris, the revolutionary city of respectable men's nightmares, had an illegitimacy rate of 32.5 per cent. (as opposed to 4 per cent. for France as a whole). The Report went on to declare that:

> 'Christianity and civilization are both threatened and men are speculating upon the utter overthrow of Britain by its own internal corruptions, after the manner of the ancient nations'. 1

What made all this so alarming of course was the high rate of rural illegitimacy - the fact that illegitimacy had attained 'its most gigantic dimensions among that class who in other nations are the most virtuous and moral'.[2] Especially so, since'until Moderatism spread like upastree over the land, Scotland presented the noblest peasantry under heaven, for intelligence, for Bible knowledge and moral character'.[3] For it indicated that the church's critics might be right, since if the church could not keep order among pious peasants, then neither the resurgence of evangelicalism, nor the rapid growth of the Free Church, nor the current revival movements had had or were having much effect.

1.5 Moral Epidemiology.

Throughout the Housing Reports evangelical religion and the Free Church were defended against these charges of ineffectiveness by the suggestion that the church's failure was relative and temporary. But failure, however relative and temporary, required explanation and this Begg provided at an

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1. F.C.G.A. P.& D., 1860, Housing Report, p.11.
2. F.C.G.A. P.& D., 1860, Housing Report, p.1.
3. F.C.G.A. P.& D., 1858, p.65. Begg cited no authorities to substantiate this claim, which he no doubt believed to be self-evident. In the same Assembly, however, Professor I.M. Hetherington of Glasgow, comparing contemporary moral degradation with the high morals of the mid-seventeenth century, cited as his authority the historian Kirkton. (According to a recent historian, Kirkton 'not a particularly truthful man anyhow, was writing (his) happy picture of a police state a good while later'. R. Mitchison: A History of Scotland, 1970, p.228.)

early stage when he produced tables of comparative statistics[1] to show that where illegitimacy was high, bothies or the old system of farm-kitchen accommodation were prevalent, cottages were difficult to find and evangelical religion was 'at a low ebb' as a consequence of Moderatism[2] or Popery[3]; whereas in counties where illegitimacy was low the opposite conditions obtained.

This equation, essentially formulated by Begg before the implications of the illegitimacy statistics could be studied, was questioned within the Free Church by those who, like the Presbytery of Dunkeld, could not

> 'so far as their information goes, trace many cases of licentiousness very distinctly to the bothy system or to the want of house accommodation', 4

as well as by those who, like Thomas Guthrie, believed that

> 'the fact is that the immorality was there before; and I believe that it was worse before - only the Registrar was not there before. That gentleman has but rent the veil that concealed the immorality. (Cheers.) They talk of diagnosis. Well I have a diagnosis of the affair too - (laughter) - and it is this, that the licentiousness which abounds in certain parts of our country is the spawn of an old, cold, dead, dreary Moderatism. (Loud cheers)' 5

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1. F.C.G.A. P.& D., 1859, Housing Report, and 1860, Housing Report, passim.
2. Begg believed that the 'great mass of the ministers of the South of Scotland ... from Berwick to Portpatrick were at that time (1830) decidedly Moderate' (T. Smith: op.cit., p.97). This was a popular, if mistaken, view. (Vide I.D.M. Clark: op.cit., pp.213ff.)
3. Begg claimed that the influence of Popery as well as Moderatism had been strong in the North-East. He was on rather more firm ground here, especially if, as seems likely, he thought of Episcopalians as much the same as Catholics.
4. Begg had the grace to include this in the Housing Report of 1860 (p.21).
5. F.C.G.A. P.& D., 1862, p.353 (Guthrie's Moderatorial Address). Others in the Free Church Assemblies who questioned Begg's criticisms of bothies included a tenant farmer who said in 1862 that bothies were necessary because there was no alternative way of accommodating young men on farms (cf. Dr. Grierson, above), and although he admitted failure on his own and other farmers' parts to exercise 'moral control' over them, he believed that the church was equally at fault since, while it was 'an imperative condition' of employment on his farm that the men attend 'a place of worship on the Sabbath-day', yet 'in the course of thirty years experience he could not state above three or four, or almost half-a-dozen visits from a clergyman' to his workers. The Earl of Dalhousie supported this farmer, praised his courage and said that bothies were not the real problem. (He had a bothy for his gardeners and was 'blessed with a pious head gardener who held classes with the young men'.) Some of the people living in the bothies might not be 'quite so cleanly as people ought to be, but in his eyes it was perhaps a verification of the old Scotch saying "The clartier the cosier".' F.C.G.A. P. & D., 1862, pp.195ff.

Despite the rapture with which Guthrie's diagnosis was greeted, a monocausal theory of this kind did not satisfy Begg, much as he was at one with Guthrie in condemning Moderatism. For Begg, like many of his contemporaries, was in love with social science,[1] and the complex attitude to which this led was illustrated when, calling upon the Registrar-General to provide statistics showing all the 'connections and causes' of illegitimacy, he wrote:

> 'We could even construct a kind of map exhibiting these results, in a visible form, like the operations of a rain-gauge, upon which even the most obtuse of men could trace connections, which, however little understood, are as well established apart from the omnipotence of Divine grace, as the revolutions of the planetary system.' 2

The complexity of the attitude reflected here is shown by the co-existence of two languages of causation, that of theology on the one hand and that of social science on the other. For what in this context does 'Divine grace' signify if human behaviour is compared to the movement of planets? It may have been something of this creeping positivism as much as of his introduction of 'mere secular details' into the Courts of the Church which led Rainy to say of Begg that 'no man did more to lower the tone of the Church and to secularise it'.[3] For although Begg may have been relatively unsuccessful at the time, the churches were not in the long run cured of the addiction to social science.

Of course Begg's attitude to social science was ambivalent, and like many churchmen after him he preferred to make use of it only when it provided ammunition for the conclusions he had already reached. Further evidence of this ambivalent attitude was provided in 1861 when Begg, whose

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1. The National Association for the Promotion of Social Science was one of his enthusiasms.
2. F.C.G.A. P.& D., 1860, Housing Report, p.9.
3. P.C. Simpson: The Life of Principal Rainy, 1909, vol.ii, p.50. (This was not, of course, the immediate context of Rainy's remark.)

1859 report had recommended better and more widespread education as a means of raising the condition of and hence reducing illegitimacy among farm servants, took the Registrar-General to task for speculating 'as to the probable effect of education - mere education - in arresting immorality'.[1] The effect of education, Begg claimed, depended entirely upon that education being 'accompanied by the element of Christian principle'. On this tack Begg was continually urging the Registrar to produce statistics about the religious denomination of the mothers of illegitimate children, on the ground that in moral as well as other epidemics information should be sought from the sub-registrars about the cause of the evil. (There were, after all, Begg remarked somewhat scornfully, '1100 or 1200 of these men employed by Government'.[2])

But on another tack, in defence of better housing rather than in defence of the Free Church, Begg attacked the Registrar-General for underplaying the importance of bothies 'as a leading cause of our social immorality'. The Registrar had claimed that those counties where the illegitimacy rate was above average had an average size of farms 'much below' those in the counties where the rate was below average, and that since bothies were only found on large farms they could not be responsible for the high illegitimacy rate. Begg denied that large farms and bothies always went together, and in line with his earlier arguments said that the absence of adequate cottages and the farm-kitchen system of accommodation had also to be seen as causes. Taken together these factors were productive of illegitimacy.[3]

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1. F.C.G.A. P. & D., 1861, p.323. (Begg's 'mere')
2. Ibid. These statistics, Begg thought, would keep the respective denominations on their toes. (F.C.G.A. P.& D., 1863, p.314.)
3. F.C.G.A. P.& D., 1864, Housing Report, Appendix XII.

1.6 Good Men Without Houses.

In support of this contention Begg quoted, among other, Dr. Gerrard, a Banffshire medical practitioner who had studied the illegitimacy problem in the North-East. In discussing the predicament of the parents of an illegitimate child, Gerrard wrote:

> 'The countryman cannot marry or make amends in this manner, for, no matter how anxious the parties may be to legitimize their child by their marriage, they cannot overcome impossibilities, and with no house, no home, must live apart. Their marriage perhaps is delayed in the hope that by and by some spare closet or apartment may turn up, and this state of matters continues till a second child makes its appearance. With its arrival the prospects of the parents are no better; it may be that the circumstances occur which cause an estrangement between the parties, and the prospect of their ever being in a position to marry become less and less, till a second or even a third child, not owned by both, destroys any chance of a marriage taking place ... So long as a man continues in unsettled circumstances, with no prospect of acquiring a home and household of his own, so long, in too many cases, it is to be feared, will these unfortunates successively appear, draining the man's hard-earned means, and above all and more to be regretted, destroying the usefulness of the unfortunate mothers. By and by perhaps his turn comes, and he succeeds to some vacant domicile, but he has two families depending on him for support. The elder and illegitimate children have so burdened his earnings during his earlier and better years and may still be in part so dependent on him, that, as his younger family increases, he finds his means barely, or not at all adequate to meet his necessities. These multiplying demands, with his declining strength and increasing years, and it may be, interruption to labour from ill-health, so overburden him that he is compelled to seek assistance from his parish. True, his later family are bound to aid him, but they, in all likelihood, have followed in the father's footsteps and are themselves no better circumstanced. This is not a pleasant picture, and it is a matter for regret that it is a very common one. Whether or not its outline of the usual course of events be in accordance with the truth may be left to the testimony of any country clergyman or Poor-Law inspector conversant with the

family histories of the paupers on his roll'. 1

When Begg brought stories like this to his aid they no doubt created an impression, and Gerrard's account sounds plausible.[2] But, particularly in view of his own reservations about its universality, how far did a few such accounts establish a causal connection between defective house accommodation and illegitimacy, and further, how far did it establish that rural illegitimacy in the North-East and South-West generally was a product of these new agricultural conditions? For Begg seems to suggest that before Moderatism and agricultural improvement, illegitimacy in rural areas was, if not unknown, at

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1. F.C.G.A. P.& D., 1863, Housing Report, Appendix II, pp.13ff. (Gerrard's remarks were contained in full in the 1863 Report, and referred to again in that of 1864.) N.B. - Gerrard's methods of acquiring this information: 'Anxious to know the feelings and sentiments of the rural labourers themselves on this matter of illegitimacy, I have, while professionally attending their families, and from peculiar circumstances possessing a fair share of their confidence, talked the subject over with some of the more intelligent men, taking care to select those only of fair common sense, of steady habits, men, too, valued by their employers and respected by their fellows, but all placed in the unfortunate circumstance of having a double family to be provided for, the earlier portion being illegitimate. The great regret of these men had been that, when the first offence occurred, they had not the means of making the proper amends by marrying and sheltering mother and child in a dwelling of their own; nay more, they needed no hint to assure me that, if houses could have been readily had, they would in every probability have married early, and their children would have been 'born in wedlock', (ibid.)
2. It probably sounded even more plausible when he compared agricultural workers with fishermen in the North-East. The latter, although heavy drinkers and 'remarkably prolific', produced very few illegitimate children, and if illegitimacy occurred it excited the 'displeasure and scorn of the whole village'. The fishermen also enjoyed adequate housing at least by comparison with the farm-workers (ibid.). Cf. Ch. II,4 above.

least very much less prevalent than in the mid-nineteenth century.[1]

1.7 Bad Women in Bothies.

In answer to the first of these question it probably could not be denied that at any rate some bothies had what even those who denied the direct connection with illegitimacy called a 'demoralising and degrading' effect.[2] And opponents of the bothy system who could cite mixed bothies,[3] as could the

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1. The question of the causes of rural illegitimacy is conflated in the Housing Reports, and elsewhere in church pronouncements of the time, with that of sexual immorality or licentiousness in general. Gerrard, for example, seems to be specifically concerned with illegitimacy, whereas Thomson of Wick and others are discussing a much wider range of sexual (and marginally sexual) behaviour. The question of whether illegitimacy was really the same thing as immorality was in fact raised by Begg in the 1860 debate (F.C.G.A. P.& D., 1860, p.236.):
   > 'I know that it has been hinted that illegitimacy is not to be regarded as a criterion of profligacy. I don't enter into the grounds on which that statement is made. There may be some truth in the general theory considered physiologically. At the same time, the inference from that truth is a most fallacious one, because the spread of profligacy soon leads to universal corruption.'

   The inference here seems to be that illegitimate children might not be the result of what we would now call promiscuity. Although Begg gives this argument short shrift, it would find support in Gerrard's account, and a high illegitimacy rate, far from being an indication of promiscuity, and all the attendant evils described and imagined by Begg, could well have indicated either the absence of suitable housing or traditional indifference to the timing of marriage, or both, preventing legitimation of the children of stable relationships.
2. Presbytery of Dunkeld. F.C.G.A. P.& D., 1860, Housing Report, p.21.
3. These arrangements were also cited in the 1859 Report, in a quotation from a recent report of the Board of Supervision of the Poor, which spoke of 'young and old of both sexes sleeping in the same beds' (in this case in cottages, as an example of the evils of the bondager system) and in Begg's speech in support of the same Report, providing the emotive example of a bothy with Highland girls upstairs and Irishmen downstairs. (It is difficult to tell whether concern for Highland virtue or Irish vice was uppermost - the Assembly was told more than once about what happened to Highland girls abroad.) (F.C.G.A. P.& D., 1859, Housing Report, p.2, and Proceedings, p.60.) The inundation of Irishmen caused the Housing Committee further concern in 1866. 'If the Irish element continues to augment, they will not only not maintain ... the high moral position (of) the peasantry of Scotland, but all the evils which have made Ireland the problem of statesmen and the dread of landlords may soon be expected to develop themselves in our rural districts.' (F.C.G.A. P.& D., 1866, Housing Report, Appendix I, p.7.)

Revd. Charles Thomson of Wick, were able to wax eloquent on the subject:

> 'The women - for the truth must come out - encourage the men. Deeds of shame are shamelessly committed in those dens of darkness, and gloried in ... The sleeping place of the females is generally some off-closet or other place entering from the lad's apartment, or from very near it and between the two places there is, or may be, quite unrestricted intercourse. In some especially disgraceful instances the beds of both sexes are in the same apartment. No further particulars need to be given of so painful a description ... the truth is that our bothy system is like the Romish confessional - its own indescribable foulness is its protection. Decency forbids the disclosure of a hundredth part of its abominations. The light of day cannot be let in on a Caithness bothy.' 1

But there were other counties than Caithness, and even in Caithness how characteristic were Thomson's examples? If, as was sometimes claimed, many ministers were not regular visitors of bothies, it might be difficult for the Assembly to form an opinion which commanded much confidence. And even if it could, the argument about the bothies did not go very far towards explaining the illegitimacy question; rather it complicated the latter since in demonstrating how demoralised and degraded were the inhabitants of bothies, it went some way towards undermining Gerrard's picture (shared by Grierson) of men and women essentially good but the victims of their environment.

1.8 Not by Houses Alone.

Bothies, however, were only part of the question, and even if the Registrar's or Begg's equations could have been substantiated, a great deal would have remained uncertain. As it was, nobody seems to have had hard evidence, conclusive for the country as a whole on the connection of illegiti-

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1. F.C.G.A. P.& D., 1862, Housing Report, pp.40ff. Mr. Thomson was a member of the Housing Committee.

macy with rural housing.[1] Clearly illegitimacy was higher among farm-servants in the North-East and the South-West than among many other sections of the population. But the habit of what Lord Dalhousie called 'gentlemen amateurs'[2] picking the worst cases and projecting a map of immorality upon them was no conclusive method. And even Begg, with his frequent appeals for more information from the sub-registrars and for a Royal Commission, had to admit this.

But if this information had been available, would it have satisfied Begg? Probably not, for Begg was essentially a social reformer rather than a social scientist, and if the map of 'connections and causes' which he wanted could have been produced, he would doubtless have been infuriated by the complexity of roads, lanes and sheep tracks which led to illegitimacy.

And what would such a map have to say about the good old days to which Begg looked back with nostalgia? Would it have suggested that Reformed Scotland was really as pure as he maintained? At different points in the Assembly's deliberations on housing, hares had been started which suggested that there was more to illegitimacy than the after-effects of Moderatism and agricultural improvement. Almost at the start, in 1859, the Sheriff who had been shocked by the Registrar's revelations had expressed 'his conviction that the comparative looseness of (the marriage) law had a very material effect on

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1. There were various attempts at this time to collect evidence, other than that of Begg, the Registrar and the U.P.s (see below). The Society for the Promotion of Social Morality 'widely circulated' a set of questions to 'influential persons in all parts of the country', and found 'in regard to certain points a remarkable concurrence of opinion'. There was general agreement that 'the social immorality of Scotland must be largely traced - to hindrances in the way of marriage, arising from a variety of causes, but especially from the want of suitable houses for the people in many districts'. The bothy and large farm-kitchen systems were singled out for particular criticism, and the comparison with the fishing population, made also by Gerrard, was mentioned. Were these 'influential persons' 'gentlemen amateurs'? (Vide F.C.G.A. P.& D., 1864, Housing Report, Appendix XI, p.27.)
2. F.C.G.A. P.& D., 1862, p.198.

producing the species of immorality already referred to,'[1] and this of course had also been touched upon in The Witness' editorial. And again, in the 1861 Housing Report, Begg himself had noted

> 'the perilous manner in which in Scotland it is customary for the young of both sexes to come into intimacy before marriage ... not in open domestic society, but in secret interviews by night, even to advanced hours of the morning. The pernicious results of this usage might easily be anticipated, and are, in fact, as deplorable as they are undeniable.' 2

Begg's phrasing here suggests that not even he thought of this as an innovation; and further evidence of doubt about the good old days was furnished by a speech in which R.S. Candlish defended the church against the charge that drunkenness and licentiousness

> 'were just the result of attempting to draw too tightly the cords of religion; and that the present condition of the country was in fact only a reaction against spiritual tyranny. (But, said Candlish) the Presbyterian Calvinistic Church, thwarted in all quarters from the first, and especially by the aristocracy, had never had fair play, or a very different result would be seen to that which now in many quarters filled them with apprehension and alarm.' 3

These questions about the causes and history of illegitimacy thus did not entirely support Begg's picture of national moral degeneracy caused by Moderatism and bad housing. But then it was not in Begg's interest to dissolve the atmosphere of crisis. He had too much insight into the irrationality of his fellow creatures, and the peculiar irrationality of Free Churchmen, to seek to persuade them by logic and statistics alone.

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1. F.C.G.A. P.& D., 1859, p.68.
2. F.C.G.A. P.& D., 1861, Housing Report, p.17.
3. F.C.G.A. P.& D., 1862, p.192.

1.9 Calvinism and Progress.

Begg's rhetoric of crisis then combined an appeal to the religious sensibilities of his hearers with an appeal to their social sensibilities. His religious arguments on housing were based first of all on the Westminster Confession's gloss on the eighth commandment, requiring 'an endeavour, by all just and lawful means, to procure, preserve and further the wealth and outward estate of others, as well as our own'. This, together with appeals to farmers to imitate patriarchs like Abraham and Boaz,[1] gave him a foothold in the Old Testament. Requiring Dominical authority also, he was fond of saying that when ministers told people to go into their closets to pray, 'they should first enquire if they had closets'.[2] Beyond this he frequently cited Knox, Carstares, Chalmers and other church leaders who cared for the poor.

On illegitimacy, his major religious arguments were that any social arrangements which hindered marriage were against the divine law. Marriage was a 'divine ordinance', and the family system 'one of the most beautiful institutions of Divine Providence'. 'It can never be excluded or even for any length of time interrupted without injurious consequences.'[3] 'Compulsory celibacy' (a term which combined his distaste for bothies and for Romanism) was therefore highly dangerous in the eyes of religious men.

Begg's arguments, however, were never simply religious in this narrow

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1. F.C.G.A. P.& D., 1862, Housing Report, p.18. The farmers were here, of course, advised to imitate patriarchs in general rather than to imitate the marital behaviour of Abraham and Boaz. That the latter had been subject to 'night courtship' by Ruth was not a point Begg mentioned.
2. E.g. F.C.G.A. P.& D., 1862, p.187.
3. Begg also considered that the 167,287 'excess of females' in Scotland, (attributed to emigration and the greater male mortality rate) was 'a prominent cause of moral evil, as it is evidently a violation of the Divine arrangement in regard to the sexes'. (F.C.G.A. P.& D., 1862, Housing Report, p.1.) 'Interference' with 'God's ordinance of marriage' Begg believed, resulted in a 'crop of vice'. This, together with the 'close affinity' between 'moral and physical degradation' was 'a fixed law of nature'. F.C.G.A. P.& D., 1864, Housing Report, Appendix XII, p.26.

sense, and in attacking the supposed causes of illegitimacy and defending family life he appealed to the middle classes' sense of self-preservation, to their belief in progress, to their national pride and to their belief in Scottish democracy.[1] Expressing concern at contemporary economic and class differences, in which he saw the seeds of revolution, he insisted that

> 'all classes must be made to feel that their paramount interest consists in building a strong middle class ... This may justly be called the cheap and strong defence of nations.' 2

With particular reference to rural problems Begg saw this end being achieved in the following way:

> 'a good cottage not only prevents evils but promotes a great amount of good. A man proceeds to acquire furniture and to have something at stake. He is not so ready to flit at every term, and therefore he takes care to make himself most useful and agreeable. Farmers will very soon discover that whoever has the best cottages will get the pick of the market in choosing servants.' 3

The ideal therefore which Begg, following Thomas Chalmers, held out for the approval of his hearers was that of 'a property-owning Christian democracy',[4] and the universal extension of the middle-class family - or rather the universal extension of what he and many of his contemporaries liked to think was the middle-class family. 'The family system', he wrote,

> 'is the true basis of social morality ... All experience proves that the divine ordinance of marriage is the true remedy for many social evils and the grand foundation of social progress'. 5

To further this aim Begg could appeal, in the same breath, to 'the age of progress and the march of intellect', and to the Covenanters, for moral

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1. Begg was active in mid-nineteenth century Scottish Nationalist movements as well as in campaigns such as that for the forty-shilling freeholder franchise.
2. F.C.G.A. P.& D., 1867, Housing Report, p.7.
3. F.C.G.A. P.& D., 1862, Housing Report, p.19.
4. Mechie: op.cit., p.134.
5. F.C.G.A. P.& D., 1862, Housing Report.

support;[1] and he applauded farmers who argued for raising the status of their workers 'on the ground of Christianity, patriotism, and self interest'.[2]

For Begg all these interests met in the conservative and romantic image of Burns' Cottar. His vision, with its many contradictions, was summed up in the peroration of the first Housing Report:

> 'Divine Grace is no doubt omnipotent, but such a man (who has no prospect of ever rising to respectability) is placed in circumstances of peculiar temptation, and in point of fact is generally reckless and unprincipled ... The noblest picture of a peasant that probably was ever drawn, is that of the "Cottar's Saturday Night", and it embraces all the elements of a pleasant home, coupled with the sweet smiles of domestic welcome and crowned with the noblest manifestations of Christian principle. Just in proportion as our men of influence know that labourers are men of like passions and feelings with themselves, and recognise it to be their duty to act in a just, enlightened and a Christian spirit towards the cultivators of the soil, seeking by every means to elevate the condition of those by whose energy their own comforts are maintained, may we expect to find those low and grovelling habits, which are at present the bane of rural life, abolished from Britain, and a noble peasantry rising under the influence of Christian teaching, as "a wall of fire" around the land of our birth.' 3

Between 1858 and 1867 then the General Assembly of the Free Church took notice of the possible results of bad and inadequate housing on the sexual morality and family life of the rural working classes. Whether or not the Free Church would have spent this time discussing housing had it not been for Begg's manipulation of the illegitimacy and infanticide controversies of 1858 must remain an open question. All that can be said here is that the illegitimacy statistics and the infanticide cases, together with the sense of unease about rural sexual morality which they generated, were important factors in

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1. F.C.G.A. P.& D., 1860, pp.242ff.
2. F.C.G.A. P.& D., 1861, Housing Report, Appendix II.
3. F.C.G.A. P.& D., 1859, Housing Report, p.8.

persuading the Free Church to take up the subject, while Begg's persistence and rhetoric kept it alive. (The further question of what good the Church's discussion of housing's effect on morality did is even more open: in the short run the illegitimacy rate actually rose during the period of the housing committee from 10.1 per cent. in 1863 to 10.27 per cent. in 1866.[1] By the end of the century, however, housing conditions were getting better - there was at any rate less overcrowding. And by 1903 the illegitimacy rate was down to 6.21 per cent.[2] None of this, however, had any necessary connection with discussion of housing and illegitimacy in the General Assembly of the Free Church.) But the subject of illegitimacy was also discussed in the churches outside the context of the Housing Committee's Reports.

2. Other Opinions About Immorality.

2.1 The U.P. Synod.

The U.P. Synod's interest in illegitimacy and immorality was reflected in a report of 1864 which, on the basis of returns from its churches to a question about 'the principle causes which produce licentiousness in your district', stated that 'intemperance is all but universally assigned as the one great cause of licentiousness'. The returns also cited overcrowding, 'licentious conversation' among men and women field and mill workers, the carelessness of masters and mistresses, difficulties preventing early marriage and the bothy system.[3] The synod criticised the Poor Law for its 'encouragement to the sin of fornication', advocated tighter control of licences for the sale of spirits, recommended the abolition of the proclamation of banns in parish churches and the substitution of a civil system, and urged the continued

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1. Social Evils and Problems, ed. W.P. Paterson and D. Watson, 1918, pp.72ff.
2. Ibid.
3. Vide F.C.G.A. P.& D., 1864, Appendix XV, Housing Report.

exercise of faithful discipline by ministers and sessions, 'plain dealing' in sermons about immorality and co-operation, especially in relation to discipline, with the committees of the Free Church.[1] This assortment of miscellaneous causes and remedies for immorality, produced for the most part by the Synod's Committee on Social Morality,[2] showed that while the U.P.s were responding to similar stimuli, their treatment of the subject lacked the single-minded devotion of the Free Church. But then U.P.s tended not to discuss such matters extensively in their Synod, perhaps because many of their leading members discussed them elsewhere, possibly to greater effect.[3]

2.2 The Church of Scotland.

The Establishment also was not as vocal as the Free Church on this subject. In 1860, however, it set up a committee on 'The Increase of Immorality in Rural Districts', which survived into the seventies, and in 1861 the Assembly issued a Pastoral Address on this subject.[4]

On some aspects of the question the Pastoral Address took a line similar to Begg's. It urged all concerned 'to labour in inquiring into the particular causes from which this lamentable degeneracy has arisen', and instructed landowners and farmers to 'adopt prudent measures in regard to dwellings and accommodation of their workers'.[5] But in its analysis of the question, social science was secondary to a more traditional sin-oriented view of things. Ministers were urged

> 'to raise the tone of feeling and opinion on this subject, especially among the labouring population (for) there is much reason to fear that the immoralities in question are regarded as very trivial matters ... the people ...

1. U.P.S.P., (1864) pp.27ff.
2. Set up in 1863, not reappointed in 1867.
3. Cf. J.R. Fleming: op.cit., vol. i, p.154.
4. C. of S. Acts and Proceedings, 1861, pp.79ff.
5. The Established Church also had critics of bothies, notably the Revd. Harry Stewart of Oathlaw.

> look upon unchastity as rather a venial weakness, or even as a misfortune, than as a sin, highly offensive to God, most derogatory to the Christian character, and most pernicious to all the true interests of society... The correction of this state of mind evidently lies at the root of any reformation of the manners of the people in this respect.' 1

The Established Church then appeared to take the view that rural immorality, although on the increase, was as much the result of habit as of housing. In another respect also it diverged from the Housing Committee's treatment of the subject. This was in the assumption that those who were responsible for the increase of immorality should be directly addressed, as christians, by the General Assembly. Free Churchmen were apt to allege that many farm servants who were heathens at heart usually claimed to belong to the Establishment, and in the Pastoral Address the latter, by appealing to its 'brethren' not to 'walk in the lust of uncleanness as they do "who know not God and obey not the gospel of our Lord Jesus Christ"',[2] acknowledged this spiritual paternity. Thus whatever farm servants may have made of the Address, even supposing they actually read it or heard it read, the Established Church in drawing it up was marginally less 'holier than thou' than the Free Church, which even in the Housing Reports betrayed its anxiety to prove that Free Church congregations were free of immoral adherents.

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1. A further prophylactic against sin which the Assembly commended was the establishment of female schools which, in its opinion, checked 'that courseness of manners which often results from the teaching of the young of both sexes promiscuously'. Family religion was seen as another way of preventing unchastity, and landowners and farmers, together with parents, were urged to supervise the recreations of workers and young people in general, in order to keep them occupied, and at a distance from 'opportunities for loose conversation and other temptations to sin', as well as from 'meetings under night and other practices'. (Ibid.)
2. Ibid.

2.3 The Free Church: Religion and Morals.

The Free Church's Committee on Religion and Morals, first appointed in 1860, was even more anxious than the Housing Committee to make this point. In 1863 it reported, on the basis of returns to its questions, that in parishes where illegitimacy was prevalent it was rarely found in the Free Church congregation, with its 'faithful evangelical ministrations';[1] and it urged the Registrar-General to provide statistics which illustrated this, 'in order to help lay bare the causes of the evil and so lead to the application of efficient remedies'.[2] The same point was made again in 1866, and it was suggested that the virtual absence of illegitimacy among the members of the Free Church

> 'would seem to indicate that the teaching and discipline of the Free Church of Scotland have a decidedly salutary influence in keeping her people comparatively free from this disgraceful sin'. 3

Another deficiency in the Registrar's reports was also detected by the committee. The Registrar, it told the 1863 Assembly, did not account for 'antenuptial cases' (ie. cases of premarital sexual intercourse, usually those followed by marriage after the discovery of the woman's pregnancy), as opposed to illegitimacy. The situation, in the Committee's eyes, was therefore worse than it appeared to be from the illegitimacy statistics, and 'many' returns to the Committee's questions

> 'state that in those parts of the country where it is prevalent the people hardly regard it as a sin. They seem to think that marriage covers all; and there is every reason to believe that in many cases young women yield to sin, from regarding that to be the best way to secure marriage'. 4

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1. F.C.G.A. P.& D., 1863, Religion and Morals Report, question 2.
2. Ibid.
3. F.C.G.A. P.& D., 1866, Religion and Morals Report, p.3.
4. F.C.G.A. P.& D., 1863, Religion and Morals Report, p.6.

On the subject of premarital intercourse then the committee was taking a similar view to that of the Establishment; that rural immorality - which neither Assembly differentiated very clearly or consistently from rural illegitimacy - was something of an ingrained habit among the people. (An Advocate, in the debate on the committee's 1865 report, remarked that he was struck by the 'levity' with which certain parents, who had appeared in a case he was concerned with, regarded the immorality of their offspring.[1]) What, the Committee asked, was the point of calling for parental supervision to deal with immorality, when the parents' own marriage had begun in the same way?[2] And in its 1867 report it stated that in agricultural parts of Banff and Moray illegitimacy seemed to run in families.[3]

It was of course understandable that the Religion and Morals committee should want to emphasise this aspect of the immorality question. It was at this time involved in promoting the revival movement, and one way of doing this was by pointing out the depths of depravity to which men sank without the benefit of an evangelical ministry. The committee, therefore, although it conceded that the absence of cottages and other hindrances to early marriage

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1. F.C.G.A. P.& D., 1865, p.17.
2. F.C.G.A. P.& D., 1863, Religion and Morals Report, p.6. The committee nevertheless went on to urge 'the parents of the working classes' to exercise such supervision, especially over night-courtship. Masters and mistresses however were also called in to help.
3. Ibid., p.7. Here again a contrast was drawn by the committee between the agricultural and fishing populations. It was customary in the Free Church Assembly also to contrast lowland rural immorality with the high morality of the Highlands, where the Free Church was very strong. In May 1865, however, the minister of Tain in Easter Ross informed the Assembly that 'in the northern counties where illegitimacy was scarce known before, it had increased to an alarming extent'. He must have forgotten what his predecessor had written twenty years earlier if he thought it had not existed before, at least in his own parish (vide Ch.II,4 above); but then in June of the previous year the Highland Railway had opened a section of line between Invergordon and Meikle Ferry (vide The Stephenson Locomotive Society: The Highland Railway Company, 1953, p.20), and this line ran through, and the constructors of it would have resided in, his parish. This would have been enough to allege an increase of illegitimacy, whether or not the navvies were responsible, and indeed probably whether or not there had been any increase.

played a part in the causation of rural immorality, was unwilling to lay too much of the blame on bothies or overcrowding, and described these and other material and environmental factors as secondary and subordinate:

> 'The real radical cure of this monster evil, which is a huge plague-spot and disgrace in the land, is the prevalence of true religion. A number of returns notice the blessed results of the recent spiritual awakening in lessening and nearly sweeping away the sin.' [1]

The difference between this account of the immorality question and that of the Housing Committee however lay more in emphasis than anything else. The Religion and Morals committee emphasised the dearth of true religion among immoral farm workers, believing that 'the great bulk of them consist of those who are connected with no church',[2] and emphasised that evangelism was needed; while the Housing Committee emphasised the dearth of cottages. Each committee, in other words, had its own axe to grind, and each was predisposed to paint a black picture of the rural scene. To this extent the analyses provided by both committees, in their denunciations of unmeasurable immorality, and in their recognition of housing conditions or of heathen habits as the cause of this, were somewhat less than objective.

2.4 Immorality and Discipline: The Free Church.

The question of immorality, as The Witness had pointed out,[3] obviously had a bearing on the subject of ecclesiastical discipline, and the accusation that immorality was a reaction to Calvinist religious practices, mentioned by Candlish in 1862,[4] seems to have been not uncommon at this time. Some members of the Established Church (according to Free Churchmen) even went so far as to suggest that the Disruption and the 1858-1861 revivals were causes of the

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1. F.C.G.A. P.& D., 1863, R.& M. R., pp.7ff.
2. F.C.G.A. P.& D., 1866, R.& M. R., p.3.
3. Vide 1.3 above.
4. Vide 1.8 above.

increase of immorality, and that sinners were escaping from the discipline of the Church of Scotland by joining the Free Church.[1] The Free Church's spokesman on Religion and Morals stoutly denied this, sometimes returned the compliment, and one Free Church minister described the Establishment as 'a cave of Adullam'.[2] But on the whole they preferred to class the immoral as heathens, whether or not they claimed to belong to the Establishment.

Discipline did however present a problem to all of the churches, and the Religion and Morals committee was given as one of its first assignments the task of finding out what the state of Discipline in the church actually was.

Their report,[3] presented to the 1861 Assembly, is disappointingly vague. The majority of cases dealt with by Free Church Sessions were either of intemperance or of 'violations of the Seventh Commandment'. But the committee was unable to provide figures, stating only that it believed cases of the latter, while 'far too frequent', to be less than before the Disruption. It was perhaps not surprising that there were few cases - the committee found it 'gratifying' that in some places there had been none during the previous three years - since discipline was exercised only over members and membership of the Free Church must have implied some agreement with its values and some commitment to respectability. (Adherents could be disciplined also - but only if they 'made application for that purpose' themselves.) The committee also noted that only a few congregations kept up public appearance of penitents on one to three Sabbaths, while most cases were dealt with privately before the minister and Session. But it was still the general practice at the revision of the membership roll for the minister or the elders

'to call privately on members of the congregation

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1. F.C.G.A. P.& D., 1861, pp.352ff.
2. F.C.G.A. P.& D., R.& M. R., Appendix III.
3. Ibid.

> who seem to need advice or warning, and to have friendly and kindly dealings with them'. 1

It is some indication however of the change which had taken place in Scotland since the seventeenth century that the committee could note that there existed in some parts of the country 'a feeling against faithful and strict discipline'.[2] This is especially remarkable, since, while no doubt convention and social pressure as well as agreement with its values played some part in Free Church membership, it was by no means compulsory, and delinquents could easily escape. To deal with escapers the possibility of negotiating some sort of 'inter-ecclesiastical law' had been suggested, but the committee rejected the idea of this spiritual extradition treaty

> 'till greater spirituality, and respect for the authority of Jesus Christ and so greater faithfulness pervade the Churches'. 3

Obviously the Establishment was still, in Free Church eyes, the great Moderate menace, and the only remedy in the meantime was 'the elevation of the moral tone, by the faithful preaching of the gospel',[4] and by revivals.

On the subject of the practical utility of discipline the committee was pessimistic: the returns suggested that its effects varied from 'salutary' to 'negligible'; but discipline was 'an ordinance of Christ, and therefore, as such must be beneficial to his Church'.[5] The same rather ambivalent attitude was expressed in the debate on this report, and nothing fresh on the subject was expressed when the reports of the committee touched upon it in 1866 and 1867. The Free Church in fact was in something of an impasse: it might want stricter discipline, and perhaps believed that this, in some cases, might reduce the amount of immorality. To be effective, however, discipline

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1. Ibid.
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid.

would have to extend much wider than the Free Church membership. But if members of the Free Church themselves were beginning to question its necessity what hope was there of this? The institutional custodians of the church's tradition were forced back on the hope of an almost magical transformation of public opinion, to which hope perhaps only the revivals lent plausibility. This hope receded, however, and when in the seventies a new wave of revivals sang their way across the Atlantic, their approach was more popular and less Calvinist. By this time it became possible to write manuals of Pastoral Theology which contained very little about ecclesiastical discipline. Patrick Fairbairn, the Principal of the Free Church College in Glasgow, wrote one,[1] which was published posthumously in 1875, and only 20 of 351 pages dealt with 'The Administration of Discipline'. In these Fairbairn referred to 'the mournful confounding of the civil and spiritual jurisdictions'[2] which characterised the churches of the Reformation. W.G. Blaikie also wrote a volume on 'homiletical and pastoral theology',[3] which did not mention discipline at all, although it mentioned practically everything else, from the need for Scottish ministers 'to pay more attention to the culture of the voice',[4] to the equally important need for them to be punctual in all things, and especially 'in money matters'.[5]

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1. P. Fairbairn: Pastoral Theology, 1875.
2. Ibid., p.330. Fairbairn also noted that 'public professions of repentance and rebukes are no longer practicable as in the olden time, and in the few cases where I have known a return to them attempted, under a zealous pastorate, the attempt has always failed, and it was found necessary, in the interests of righteousness themselves, to have them abandoned', (ibid., p.345).
3. W.G. Blaikie: For the Work of the Ministry, 1885.
4. Ibid., p.156. Blaikie commended daily exercises in controlling the voice, 'taken in moderation'. 'The time most favourable for these exercises is an hour or two after a meal; the stomach ought to be neither too full nor too empty.' (ibid.)
5. Ibid., p.248.

CHAPTER FOUR:

LAW, MARRIAGE, DISCIPLINE AND MORALITY: 1850 - 1880.

1. Opinions About the Scotch Marriage Law.

The Witness' editorial of 1858, which had questioned the effectiveness of Session discipline in dealing with immorality, had also asked if the law of Scotland was 'so loose of the subject of marriage, that certain forms of unchastity are hardly recognised'.[1] This question was one which interested a number of nineteenth century Scots, and although some churchmen considered that there had been 'much exaggeration in the statements of certain English journalists and lawyers on this subject',[2] other contemporaries, including such influential self-made men as William Chambers, the Lord Provost of Edinburgh and his predecessor Duncan Mclaren, later a Liberal M.P., thought that reform of the untidy Scotch Marriage Laws was overdue. The Edinburgh lawyers however were divided on this subject and so, to some extent, were the Presbyterian churches. Matters came to a head in 1865 with the appointment of a Royal Commission to look into the state and practical working of the marriage laws of Scotland, England and Ireland. (The Irish laws were, if anything, more confused than the Scotch.) The Commission, it was hoped, might suggest ways of bringing these laws into closer harmony, on the basis of a few simple and clear principles.

This chapter is primarily concerned with what the churches had to say to the Royal Commission on the relation between immorality and the marriage law, but it will be useful to begin by noting the divergent ways in which the marriage laws of England and Scotland had grown up, since this has some bearing upon what was said.

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1. Vide Ch.3:1.2 above.
2. Parliamentary Papers, 1868: Royal Commission on the Law of Marriage, Appendix p.43, (evidence of the Free Church).

2. Development of the Marriage Law.

2.1 Before the Reformation.

The marriage customs of the early inhabitants of Scotland are obscure. Until about the eleventh century the Celts and Anglo-Saxons seem to have regarded marriageable women as a form of property. If they were not actually bought and sold, then at least their parents or guardians had to be compensated for their loss. Any safeguards attached to the deal protected the rights of the family rather than those of the woman as an individual. The question of the woman's consent to marriage thus hardly entered into consideration, at any rate in those unions where the transaction was formalised and involved the transfer of property: among the lower classes the formalities of marriage may well scarecely have existed.

Outside Scotland however different marriage customs had developed. In ancient Egypt marriage had required the consent of both partners, and by the fifth century B.C., with the decline of the old family religions, this principle had also been accepted in Roman society. The church, as early as the fourth century A.D., was following Roman Law in this respect and the classical Roman statement: 'nuptias non concubitus, sed consensus facit' was echoed, in ecclesiastical talk, by 'Matrimonium non facit coitus sed voluntas'. This acknowledgement of the principle of consent did not however prevent the Church for many centuries from recognising civil and tribal forms of marriage in which consent had little or no place. At the same time, in practice, it attempted to ameliorate the harsher aspects of purchase. The church, also, in line with its ancient teaching, urged that christians should marry only other christians.

About the eleventh century, however, things changed. For some time the church had been developing a marriage liturgy alongside the non-ecclesiastical forms of marriage: it also had been encouraging the practice of marriage in a church building. Now its growing power enabled it to assume responsi-

bility for the celebration of marriage in society at large,[1] a function which it and its descendants would retain. It was important, at this point, therefore for the church to formulate its ideas about the nature of marriage, and in particular about what exactly constituted marriage.

In making its decision the church was faced with three alternatives. It could (1) follow Roman law and earlier ecclesiastical judgements by pronouncing that mutual consent constituted marriage, or (2) it could follow the tribal notion that what mattered was the handing over of the bride by her father, or (3) it could follow the widespread primitive practice of assuming that sexual intercourse was the decisive factor. In the event the church decided, not without a good deal of argument, that mutual consent was still the essential component. But again it did not reject local customs entirely and incorporated these into its marriage liturgy. This was as a result very different in different countries, being modified by the local traditions which had preceded it.[2] Thus elements of tribal marriage, such as 'giving away' the bride, persisted in local liturgies just as elements of primitive practice were embodied in Canon Law - for example on the subject of whether or not a marriage had been consummated, and could or could not be annulled. These elements were now however secondary to the principle that the exchange of consent between two persons who were capable of giving it was the sine qua non of marriage. Even if a marriage was clandestine, that is to say even if it took place secretly, the consent of two baptised christians, who were not

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1. This development took place at an earlier date in the East than in the West. There is however some evidence to suggest that moves in this direction in the West had been made at an earlier date. About 780 Charlemagne had promulgated an edict to the effect 'that no marriage should be celebrated any other way than by blessing, with sacerdotal prayers and oblations; and whatever marriages were performed otherwise should not be accounted true marriages'. This rule (according to A. Edgar: The Church and the Marriage Notice Act, 1878, p.17) either was 'inefficient from the first, or fell into disuse, or was never widely adopted'.
2. Vide E. Schillebeeckx: Marriage: Secular Reality and Saving Mystery, 1965, vol. ii, pp.205ff.

prohibited from marrying by canonical impediments, made a valid marriage.

On the practical level however things were more complicated. There were still many poor people in pre-Reformation Scotland who could scarcely have been concerned with property, and it is still uncertain how far, if at all, recognisable forms of marriage existed among them, especially if both parties were subject to the same superior and no question of the loss of human livestock arose.[1] Among the lower orders the primitive practice of regarding intercourse, or more probably conception, as the beginning of a marriage may well have been common, and the practice of handfasting, a form of trial marriage, certainly seems to have been prevalent in some parts of Scotland. (The church did, however, try to control this by providing priests to tie the final knot for those who wished it.) Marriage at the lower end of society was thus probably pretty haphazard. And at the other end, while the more respectable members of society may have been outwardly integrated with the structures of Christendom, consideration of family and property rights continued to be weighty factors, and women were in no position to exercise the rights which they enjoyed in principle. The many exceptions which had to be made to Canon Law were further evidence of the distance between principle and practice.

This situation produced many problems, and clandestine marriages were too common for the church to be happy about them. They could lead to difficulties such as bigamy or marriages by force or marriage within the prohibited degrees of relationship. Since at this time there were an inordinate number

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1. T. Johnston (History of the Working Classes in Scotland, 1921, p.12) discusses the evidence for the existence of a Jus Primae Noctis in Scotland. It seems likely from what Johnston says, taken alongside the conflicting evidence on this subject in E. Westermarck (The History of Human Marriage, 1921, vol.i, pp.176ff.) that the merchet, a fine paid by a vassal to his superior on the vassal's daughter's marriage, was paid in recompense for the loss of working livestock, rather than in place of the exercise of the droit du seigneur.

of these degrees, and since the geographical mobility of the people was low, the risk of marriages of the last kind was very real. Because these and other impediments, according to ecclesiastical law, either prevented marriage from coming into existence at all, or at best made it unlawful, the church began to take steps to regularise the constitution of marriage still further, and to put down clandestine marriage with all its risks.

Measures to achieve this were finalised in 1563 when the Council of Trent decided that in all apart from exceptional cases the presence of a priest and two witnesses was a condition of the validity of a marriage. In the Roman Catholic tradition clandestine marriages henceforward became void in countries where the relevant Tridentine Decree, Tametsi, was promulgated. But Protestant nations were not among these,[1] and in any case by this time the mainstream Scottish Church had ceased to acknowledge the authority of Rome.

2.2 After the Reformation.

Although a number of radical changes were made in the Scotch Marriage Law at the time of the Reformation, the consensual basis of marriage, governed by the principles of Canon Law as they had been before Trent, was retained. Reformed Scotland thus inherited a system in which marriage could be constituted in two ways: either (1) by consent per verba de praesenti, that is by the present exchange of consent by the parties (under Canon Law this had constituted marriage, although marriage could later be dissolved if copula carnalis could be proved not to have followed); and (2) by consent per verba de futuro (under Canon Law this had been a form of betrothal which, if follow-

1. Thus in the 19th century the Scottish Roman Catholic authorities regarded irregular marriages of Catholics, provided no impediments intervened, as valid and indissoluble, although also sinful and unlawful from the Roman Catholic Church's point of view. (Royal Commission: op.cit., p.12.)

ed by copula carnalis, automatically became marriage: coitus was necessary to make the marriage indissoluble, even though the betrothal form was legally binding and ruled out the possibility of marriage to a third party). In this inherited system, if there was any doubt that marriage had taken place (and this could be important when matters of inheritance were involved), marriage could be proved, either by citing witnesses to the exchange of consent, or by adducing proof that the parties, by common knowedge, had been clearly known to have treated one another as husband and wife in all respects. At the same time, however, this inherited system was transformed to some extent by the effect of the Reformers' new legislation, especially the introduction of divorce (at first only for adultery and then in 1573 also for desertion), which removed many of the problems of casuistry associated with the question of unconsummated marriage. But the Commissary Court which dealt with marriage cases until 1830 (when they were transferred to the Court of Session) continued to be guided by Canon Law, at least until its outlines were dimmed and the courts came to rely more upon new legislation and, for precedents, on the court decisions of the 17th and 18th centuries.

But although the Law rested upon the consensual basis of marriage, the Reformers like the Council of Trent, attempted to add a greater element of certainty to the celebration of marriage. Here again they opted for a solution which was both simple and comprehensible. Marriage, according to the First Book of Discipline, was to take place, after due proclamation of banns, publicly, before the congregation in church, and preferably at noon on Sunday. The parties, after declaring that they knew of no impediment to their marriage were to exchange consent in the context of a simple service of worship preceding the normal morning service. The minister led the worship and told the parties that they could be sure that God had united them; but the minister took no active part in making the marriage itself. Thus the Reformed position continued to rest on consent, but rested upon it in such a way that the question

of whether consent alone was sufficient to make a marriage without publicity should not be allowed to arise. In one sense, then, there were in Scotland after the Reformation at least two definitions of marriage: a legal definition based on consent and an ecclesiastical definition based on consent and publicity. The church, in trying to impose the latter, was in conflict with the customs, superstitions and inertia of a society through which the osmosis of Christian culture had made uneven progress - a social factor which the Law seems by implication to have acknowledged.

How successful the Reformers and their early seventeenth century successors were in this conflict is difficult to assess: in the towns and the lowlands they appear to have achieved a degree of outward conformity with their standards,[1] and no doubt they were relatively successful in persuading those who were married regularly to be married in church. However, as we shall see, this success was short-lived.

During the seventeenth century further measures were introduced to extend the church's influence over marriage. Parental consent, never a legal requirement, since in law boys of 14 and girls of 12 were free to marry with or without it, was frequently insisted upon, and marriage was often refused until the partners' Bible knowledge was improved. In this close society, although banns were a required preliminary to marriage, they probably had only limited usefulness: whatever legal or ecclesiastical impediments existed were likely to be common knowledge already. As a consequence of the Church's influence and espionage during this period, those who did not share the views of the ruling ecclesiastical faction either resorted to irregular marriages

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1. Handfasting at any rate is said to have died out about twenty years after the Reformation: Vide C. Rogers: Social Life in Scotland, 1884, vol.i, p.104.

or to clandestine marriage[1] before a priest or a minister not of or deposed by the church; or, if they were able, they took off to England or Ireland to be married there. All these alternatives were certainly legislated against by Parliament in 1641, 1649 and 1661, and this would seem to suggest that the church's control over regular marriage was tight enough to force some Scots into seeking these alternatives.

The seventeenth century thus saw the first phase of border marriages, when Scots crossed into England for this purpose. In England, marriage was managed rather differently. After the Reformation the exchange of consent de praesenti was retained as, in principle, the only necessary condition of valid marriage. (Although the law in this respect was changed under Henry VIII and again during the Interregnum, the change was in each case a temporary one.) In practice, however, the great majority of marriages in sixteenth and seventeenth century England took place according to the Prayer Book and before a clergyman (during the Interregnum before a J.P. and God) in a church of the partners' choice. This element of choice, together with the fact that any delay due to lengthy preliminaries such as banns (which were required by the Prayer Book) could be avoided by the immediate issue by the celebrant of a marriage licence, meant that there was no incentive for the English to be married in any other way, and although consensual marriages did take place in some parts of England they were not in the majority.

2.3 The Eighteenth and Early Nineteenth Centuries.

In the mid-eighteenth century a significant change in English law

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1. The terms 'irregular marriage' and 'clandestine marriage' are sometimes used interchangeably, but irregular marriage usually means any valid form of marriage other than before a clergyman and witnesses (in facie ecclesiae) whether or not any attempt was made to do this in secret, whereas clandestine marriage implies secrecy and in many cases the presence of a dissenting priest or minister or a celebrant who was disqualified for some reason.

reversed the direction of the border marriage trade. In 1753 Lord Hardwicke's Act laid down that all marriages in England, apart from those of Jews, Quakers and members of the Royal Family, had to be celebrated in the parish church of one of the parties, after the proclamation of banns or the issue of a licence; and that irregular marriages were now null and void. The occasion for this Act was a wave of concern in England over the number of marriages performed by deposed or dissenting clergy (some of them even in prison) or by parties posing as clergymen. Many of these marriages were fly-by-night affairs, some of them bigamous or defying other impediments. Hardwicke's Act also insisted on parental consent where the parties were under twenty-one, and the issue of a licence was dependent on this. This Act did not apply to Scotland, however, and although an attempt was made to introduce parallel legislation for Scotland, it did not succeed, partly because it looked too much like 'English interference'. One consequence of Hardwicke's Act then was that English couples began to travel to Scotland (particularly, but by no means only, to Gretna) in order to be married per verba de praesenti. A marriage business grew up on the Scottish side of the border, where entrepreneurs read the Prayer Book service over them, but claimed, if they were wise, that they were merely acting as witnesses.

This was not the only reason for the increase of irregular marriages in eighteenth century Scotland however. Presbyterian dissent was growing, and many dissenters were unwilling to be married by ministers of the Established Church who, together with Episcopal ministers (after the Toleration Act of 1711) were alone legally able to celebrate regular marriage. In addition to this the whole state of the Scotch Marriage Law was so obscure that many people might not have known the difference between regular and irregular marriage, especially when the church began to relax its disciplinary supervision. It was estimated, by nineteenth century commentators, that up to one third of Scottish marriages in the eighteenth century had been contracted irregularly.

By the eighteenth century also the church had given up its insistence that marriages should be celebrated in a church building,[1] and it was normal even for regular marriages before a minister to be celebrated in a private house. (Frequently, if the parties were poor, this took place in the manse: Episcopalians, however, were normally married in their own churches.)

During the first half of the nineteenth century the number of irregular marriages seems to have dropped considerably. There is however no conclusive proof of this: the estimate that up to a third of eighteenth century marriages had been irregular was generally accepted in the nineteenth century, but rests on no statistical basis, whereas the statistical basis for the average 20 irregular out of 20,663 marriages registered annually between 1854 and 1862 rests upon the records of a system of voluntary registration of marriages, and does not include all those persons who might have been as anxious to escape registration as they had been anxious to escape regular marriage.

Nineteenth century legislation however tended to remove some of the reasons for contracting irregular marriage. An Act of 1834 allowed priests and ministers of denominations other than the Established and Episcopal to celebrate marriage, thereby removing a respectable and religious reason, while Lord Brougham's Act of 1856, by invalidating marriages unless one of the parties normally lived in or had fulfilled a 21-day residence requirement in Scotland, removed many of the less respectable advantages offered by the Border marriage brokers. Thus although irregular marriages continued to exist, all who gave evidence to the 1865 Royal Commission agreed that they were rare and were no longer considered respectable.

The 1834 Act then revived interest in marriage reform. One of the most compelling arguments for reform had been stated by Lord Hailes in 1772:

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1. This practice was said to have continued until the beginning of the eighteenth century (Royal Commission: op.cit., p.138).

> 'All the European nations, Scotland excepted, have departed from the more ancient common law, and have required the interposition either of Church or of State to validate a marriage. Thus what was the law of all Europe, while Europe was barbarous, is now the law of Scotland only, when Europe has become civilised.' 1

These sentiments were again current in the nineteenth century, and in 1849 a reforming bill designed to simplify the law was prepared by Lord Advocate Rutherford. So optimistic about its chances was Mr. Fox Maule, Secretary at War in Lord John Russell's Cabinet, that he undertook in a Commons committee 'to answer for the contentment of the Free Church', of which he was an elder, on the subject. But the Free Church was not to be contented,[2] and opposition to the Bill in Scotland (again the fear of English interference was voiced) was so widespread that it had to be dropped.

3. The Royal Commission of 1865.

When the Royal Commission on the Marriage Laws of England, Scotland and Ireland was set up in 1865 those who were in favour of reform explained away the failure of sixteen years earlier: on one hand the 1834 Act had not then had time to show sufficient results; on the other, Brougham's Act had not at that time been passed. Now, they argued, with the subsequent decline in the number of irregular marriages, public opinion was ready for civilized

1. Royal Commission: op.cit., p.83.
2. The Free Church Assembly happened to be meeting in Edinburgh in May 1849 while the Bill was being debated in Westminster. Part of the Free Church's opposition to it was sectarian, in that it was critical of the Bill's proposal to make Session-Clerks of the Established Church the local registrars of marriage. But nationalism was also involved: 'It were better for England, as she had taken her king from Scotland, to take also sometimes a leaf out of the book of Scots law instead of trying to assimilate it to her own', said Mr. Mackgill Crichton, and roundly abused Fox Maule and the Lord Advocate, hoping that, in view of the latter's conduct, 'not a lawyer, and especially not an overburdened lawyer, would in future be appointed to superintend the business of Scotland'. Charles Cowan, the Edinburgh M.P. and Free Church elder, warned the Assembly, however, that it should not sit 'as a court of review on political matters at a time when political excitement was particularly intense'. (F.C.G.A. P.& D., 1849, pp.48ff.)

reform.

3.1 The Arguments Against Irregular Marriage.

Various reforms were under consideration. Reforming lawyers wanted to abolish one, two or even all three of the irregular forms of marriage. Some legal authorities held that the first of these, marriage per verba de praesenti, although it now legally constituted marriage, was a recent innovation, the antecedents of which had only continued after the Reformation as a form of pre-contract. This was however a disputed historical point. Still more disputed, and much less doubtful in its present standing, was the second form, marriage by promise subsequente copula. This form was not even in accordance with the basic principle of consent, upon which the Scotch Law of Marriage rested, since, if it could be proved, the promise of marriage followed by sexual intercourse made marriage, whether or not those involved intended it. Or did it? It was questioned by some, whether the promise followed by copula really did constitute marriage until it had been settled by a judicial sentence during the lifetime of both parties. In any event, to prove this form of marriage the promise had to be in writing beforehand, or sworn on oath afterwards, fine legal points which were not widely known. This uncertain form of marriage, a relic of the middle ages distorted by its nineteenth century context, was widely convassed as a candidate for abolition.

The third irregular form, marriage by cohabitation with habit and repute, had fewer legal critics. But then it was not strictly a form of marriage at all, but simply evidence of marriage. The admission of 'habit and repute' as evidence of the existence of marriage was, according to the Royal Commission, 'common to every system of enlightened jurisprudence'. What appeared peculiar to Scotland was:

> 'the notion ... that a man, by living for 20 years with a woman and recognising her as his wife, going

> to church with her and sitting at table with her, where he speaks to her and treats her as his wife ... will thereby by these proceedings gradually slide into marriage with her'. 1

For this notion, some lawyers held, there was not 'the slightest countenance' in Scots law. In popular practice, however, and in a number of legal cases, the notion did seem to have been countenanced, and in Scotland, where habit and repute could be involved in proving the existence of a marriage constituted secretly and without witnesses per verba de praesenti, legal enquiries often were concerned with whether or not marriage had been the intention of the parties. The law however was sufficiently flexible here for marriage to be proved in some cases even when the parties' intention was in doubt, and when they had begun simply by cohabiting without intending marriage. On these points there were 'copious elements of doubt and uncertainty'.[2]

The system of irregular marriages then raised a considerable number of legal problems, and reformers contrasted it unfavourably with the state of the law of England. There, although the strictness of Lord Harwicke's Act had produced some problems (including the Border Marriage Trade), more recent legislation of 1836 had created the office of Registrar of Births, Deaths and Marriages, before whom marriage could be contracted without religious ceremony, after publication of notice or on the issue of a licence by the Registrar. The subsequent creation of the Scottish office of Registrar in 1854 had made it possible to register the irregular marriages of persons fined for having made such marriages or of persons whose marriages had been established by a court decision, and Brougham's Act (1856) had allowed those who were irregularly married the alternative of having their marriage registered by applying within three months to the Sheriff for a Warrant. These innovations got rid of the need for the devious processes resorted to previously, whereby an irregularly

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1. Royal Commission: op.cit., p.xxi.
2. Ibid.

married couple who wanted to have their marriage registered made use of the seventeenth century legislation against clandestine marriage by confessing to a magistrate or a J.P. that they had been married irregularly and then paying a nominal fine and receiving an extract from the court books, which served as a marriage certificate.[1] Neither this older system, used collusively, nor the more recent and simpler processes were civil marriage as it was known in England however: irregular marriage had to come first, and it was this complication which reformers felt to be unnecessary and wished to see abolished.

Reformers thus wanted the law to embrace 'the maximum of simplicity with the maximum of certainty'.[2] Neither of these basic requirements notably characterised the Scotch Marriage Law. As we shall see, however, some lawyers and others held that the great advantage of the Scotch Law was that practically nothing could undermine the existence of a Scottish marriage. If it could not be proved to exist on one ground, another could usually be found. Reformers also believed that marriage, like all other contracts, ought to be publicly ascertainable, and many of them believed that irregular marriages should therefore be abolished, and something like the English system put in their place.

3.2 The Arguments For Irregular Marriage.

That the proposed reformed system was English seems, as in earlier attempts at reform, to have had a good deal to do with those objections which were raised to the reformers' arguments. Various sections of Scottish public opinion were in favour of the retention of the irregular forms of marriage, but in the present context it is what the Presbyterian churches had to say on the subject with which we are primarily concerned.

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1. Much uncertainty existed about the extent of this practice. Some said that it had only existed in Annan, Dumfries, Rutherglen and the Canongate in Edinburgh. Others held that it had been much more common. It certainly existed in some places as late as 1853.
2. Royal Commission: op.cit., passim.

This was a subject upon which the churches were in remarkable agreement Each church submitted evidence to the Royal Commission through, in each case, a specially appointed committee. The Church of Scotland's evidence in favour of leaving things as they were was not accompanied by any supporting arguments, unlike that of the United Presbyterians and the Free Church, but it is clear from what representatives of the Establishment said under examination by the Royal Commission that its reasons were much the same as those of the other churches.

The churches argued in favour of retaining irregular marriages then, in the belief that

> 'the public opinion of Scotland is strongly in favour of regular and solemn marriages in facie ecclesiae, and is against clandestine marriages; but it is also in favour of allowing the latter to be established by competent and sufficient evidence.' 1

The major reason given by the churches for allowing the latter to remain was that they prevented concubinage and illegitimacy. They did this, said the Free Church in the following ways:

> 'Instead of leaving a woman to dishonour and ruin who has yielded on the faith of a solemn promise of marriage, and enabling her seducer to escape, the law protects the weaker party and gives her the rights of a wife and her children the status of lawful children.
>
> In regard to marriage by habit and repute it affords the sanction of a virtuous connection to that which may have commenced in irregularity, while it is fitted to deter licentious men from indulging in concubinage under the veil of a pretended marriage.
>
> It gives effect to the mutual consent of the parties evidenced by a course of conduct more publicly and unequivocally than any one formal act or declaration before a registrar or clergyman, while the doctrine of legitimation

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1. Royal Commission: op.cit., p.43. (Free Church evidence - the U.P. evidence was very similar.)

> per subsequens matrimonium tends to convert a relation which was injurious into one which is beneficial to society, and to give all the children of the same parents the benefit of the same status.' 1

As evidence of the beneficial effect of Scotch Law the churches claimed that there was 'reason to believe' that 'there are more cases of bigamy and seduction under the more formal system of the English Law than under that of Scotland'.[2]

Now the question which the churches' evidence raised was that of whether or not what they said actually was the case. Did the existence of marriage by promise subsequente copula really protect defenceless women? And did the existence of habit and repute, as was claimed, really push the couple in the direction of regular marriage? And were seduction and bigamy (as well as divorce for adultery, which was also mentioned in some of the evidence) really more common under English law? The weak point in the churches' arguments about this, and a point which their representatives under pressure of questioning by the Royal Commission were unable to strengthen, was their lack of evidence sufficiently concrete to take their arguments beyond the level of theorising about the law.

3.3 The Habits of the People.

The Commission was however provided with concrete evidence about sexual and marriage customs among one section at least of the Scottish people. But this evidence did little to substantiate the churches' arguments. The source of its information, on which it laid considerable weight, was J.M. Strahan, a doctor from Dollar who had a large midwifery practice, and who had conducted a systematic study of 'immorality among the working classes'. Although

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1. Ibid.
2. Ibid.

Strahan's investigations were at this time confined to five parishes in his own part of Stirlingshire, his findings, he believed, represented 'the average state of Scotland'.

Strahan, whose practice included women of all classes, those from a woollen manufacturing district as well as those from agricultural areas, found on careful scrutiny of parish registers and from his own experience, that among agricultural labouring families nine out of ten women at the time of their marriage 'either had illegitimate children or were in the family-way'.[1] Only about one third of this proportion was to be found among the woollen-manufacturing families, and among those of the middle and upper classes Strahan had 'never attended a single case of childbirth where the child was not beyond the nine months after marriage', except among working ('not gentlemen') farmers, who were in this respect 'more near to the state of the working class'.[2]

Strahan attributed the high illegitimacy rate among the agricultural population to their courtship habits:

> 'There is a good deal of what is called courtship in Scotland, which does not mean courtship in the ordinary sense of the word, but rather flirtation. Young men and women meet together at night, when everyone else is in bed; there is no engagement to be married, but it is more like courtship with the hope of, perhaps, becoming sweethearts. This at late hours leads to familiarities, and that leads to fornication, and I believe frequently the woman is led more easily to fall in the hope thereby of securing a husband.' 3

Night courtship Strahan attributed in turn to the fact that

> 'the fathers and mothers will not allow their daughters to meet a young man in the daytime ... the customs of the country are such that a young man could not be seen going in daylight to visit his sweetheart'. 4

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1. Ibid., p.172.
2. Ibid.
3. Ibid.
4. Ibid.

The parents however had no objection to night courtship. Strahan, attending illegitimate births, had often remonstrated with the girls' parents, but they who had

> 'done it themselves before ... cannot imagine any other way of doing it; their daughters must have husbands, and there is no other way of courting'. 1

Night courtship, according to Strahan, 'very commonly' took place once a week. In the middle of the night the young man - for example a ploughman - slipped out of the farmhouse window or, if he lived in a bothie, went out the door 'without any trouble' and made a noise or knocked at the girl's window. Then

> 'the girl comes to the window, and if she knows the young man, or after a little parley if she does not know him, she either comes out and goes with him to an outhouse, or he comes into her bedroom'. 2

The girl's father, said Strahan, would not interfere with this, but fully aware of it, would

> 'lie comfortably in his bed ... shutting his eyes to it in the same way that a person in the higher ranks would shut his eyes to his daughter going out for a walk with a young man'. 3

In describing these customs Strahan emphasised their experimental nature. Courtship went on

> 'till they are in the family-way, and then if the young man is well behaved and the woman at all respectable the friends probably interfere, and the marriage is hurried on'. 4

This, 'from a vague recollection' Strahan thought, happened in about two-thirds of the cases, especially if the girl had respectable parents who interfered.

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1. Ibid.
2. Ibid. Strahan was asked by a commissioner, 'Are the dwellings of the classes of which you have spoken such that the young women have separate bedrooms?' and replied that although things were improving 'grown-up sons and daughters' amongst the labouring classes shared a bedroom. But presumably the sons were out courting themselves.
3. Ibid.
4. Ibid.

But

> 'young men who have no particular connexions, who can go quite easily to another farm service, very often abandon the girl and leave the place'. 1

Strahan's account of night-courtship clearly struck the commissioners as very strange. Their purpose, however, was to ascertain the bearing of this on the marriage law and besides asking questions 'hardly within our inquiry but still ... interesting to know',[2] they enquired how far irregular marriage was involved in these cases. In reply, Strahan, who could 'see no ground for retaining ... any of the irregular forms of marriage', stated that when marriage followed night courtship and pregnancy it was almost always regular marriage. Young men, he believed, 'very often, being in the dark and so on',[3] gave a verbal promise of marriage and this led the girl on; and the young man if he was of 'good character' kept his promise. But they had only 'hazy notions' of marriage and would not draw the necessary legal distinction between a verbal and a written promise. In any case, Strahan commented,

> 'The woman who has coolness enough to insist upon a written promise before falling is, I think, little deserving of sympathy'. 4

One aspect of the law which Strahan did believe had 'considerable influence' however was that marriage could legitimate children born before it. This law, he thought, gave 'great encouragement to vice'.[5] By 'making an honest woman of' the woman, and by putting the children 'on a par with other children' it led 'to a laxness of feeling in regard to marriage'.[6] The law of legitimation per subsequens matrimonium in fact applied only to the children of the parties who married and not to children the woman may have had previously by another man; and in practice, according to Strahan,

'the distinction is always kept up; very often the

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1. Ibid., p.173.
2. Ibid., p.175.
3. Ibid., p.172.
4. Ibid., p.173.
5. Ibid., p.174
6. Ibid., p.172

> illegitimate child goes by his own father's name even among the other children'. 1

This however was no objection, among the agricultural working class to marrying an unmarried mother:

> 'it is very frequent to marry a woman that has a child by another man; the only objection is the burden of the child; the burden of the child may be an obstacle, but the disgrace would be none'. 2

The only other connection Strahan saw between those parts of the law which reformers wanted to abolish and the customs he had enquired into concerned habit and repute. Although irregular marriages were rare in Strahan's part of Scotland, marriage by habit and repute was 'pretty common', he thought, 'among the lowest of the working classes, the vagrant class'.[3] Among these

> 'parties go and live as man and wife without any ceremony ... and there is no question about it till they become burdens on the poor funds and then it becomes an important question whether they are married or not, because if they are not married, the burden of the woman and children falls on the woman's parish, being illegitimate children, and in the other case upon the man's parish'. 4

In these cases the existence of the marriage, giving rise to a dispute between the respective poor law guardians, had to be settled at law before the guardians could assume responsisbility. Another witness to the Commission stated that in cases where 'the father does not acknowledge a marriage when the facts amount in law to evidence of marriage'[5] - the witness was referring both to promise, subsequente copula and cohabitation with habit and repute - the mother could go to the solicitor appointed (in each county solicitors performed this duty in rotation) by his society 'to look after the interests of the poor'

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1. Ibid., p.175.
2. Ibid., p.174.
3. Ibid., p.173.
4. Ibid.
5. Ibid., p.123. (The witness was Norman MacPherson, Professor of Scotch Law in Edinburgh University.)

and have an action raised without financial cost to herself.

Strahan then gave an account of the sexual customs and marital habits of the agricultural working classes which was far more informed and detailed than anything the lawyers[1] and ministers could give. He believed that

> 'the general feeling among the working classes is that if they are afterwards married there has been no sin; there is no scandal, no shame, no disgrace and consequently they feel that there has been no sin'. 2

This was, of course, what many churchmen said, but they were not in as advantageous a position as Strahan was to evaluate the situation in detail. Even so, their habit (in Assembly at any rate) of taking refuge behind broad generalisations of a denunciatory character (not that Strahan was any less critical of immorality) allowed them to give general support to the position expressed in their memoranda to the Commission; and when their representatives, who seem to have been chosen, not entirely with justification, for their knowledge of the law rather than of the people,[3] were questioned about irregular marriage they seemed woefully ignorant beside Strahan, especially as the lawyers, under questioning, kept telling the commissioners to ask the ministers for information about the true state of popular behaviour.

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1. The lawyers did not necessarily paint a different, only a less detailed, picture. According to the Lord Advocate (J. Moncrieff): 'In many of the counties it is an understood thing among the lower orders that if a girl has a child she is married, and if she has not a child she is not married' (ibid., p.69).
2. Ibid., p.174.
3. This was particularly true of the Church of Scotland representatives. 'How long is it since you ceased to be a parish minister?' a Commissioner testily asked Dr. Barclay, the Principal of Glasgow University, who had claimed 38 years experience as a parish minister. It was in fact eight years since. Another Church of Scotland witness was Dr. Cook, the Principal Clerk, who was known as a Moderate. On the legal ability of Presbyterian ministers, Robert Wallace was to comment (Recess Studies, p.198), apropos of the need for all the business of the church to be conducted by ministers: 'In this way men of ability, who, under a different stimulus might have ripened into erudite divines, instructors and liberalisers of their fellow-beings in matters about which they have very great need to have their minds enlightened and opened up, have yielded to the temptation of growing into what are called church lawyers - that is amateurs and dabblers in legal principles and cases - of nearly equal capability with third-rate solicitors.'

3.4 The Churches' Ignorance.

It may well have been the case that those who spoke were not those who knew, and those who knew were not those who wished to tell what they knew about popular sexual behaviour. To make public pronouncements about the sort of subject Strahan was dealing with may involve elements of voyeurism or of exhibitionism - which are not necessarily clerical qualities. Those who conduct research into sexual subjects are, moreover, in danger of being led up the garden path by those respondents who find their enquiries either amusing or impudent; and while Strahan can hardly be faulted on the subject of the percentage of illegitimate births and pre-marital conceptions, his confident statements concerning courtship may well have involved an element of fantasy as well as a few facts.[1]

But given these qualifications the ministers of the churches still seem to have been very ignorant of, or vague about, popular sexual and marital customs. A remark of Strahan's to the Commission, in reply to questions about church discipline, hinted at why this might have been the case. Strahan claimed that it was common for the parents of an illegitimate child or a child conceived outside wedlock to tender themselves to the Session for rebuke. They did this by going to the minister, when they wanted the child to be baptised, or if they wished to be admitted to the Sacrament. They did it without invitation and the rebuke was administered before the Session rather than before the congregation. If they were not already regularly married the minister would often insist on this before he and the Session delivered the desired rebuke. (Strahan believed that in the past when irregular marriages had been more common this had not been insisted on.)

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1. The whole subject has numerous parallels in contemporary attempts to assess the incidence of drug-taking.

Since many of these people (if Strahan's evidence that regular marriage normally followed the discovery of pregnancy was correct) must have already been married before a minister, it would seem that discipline was not required before such marriages, but only before admission to the Sacraments. (It would also suggest that such marriages followed very quickly on the discovery of pregnancy.) Discipline however appears to have been a formality: Strahan doubted if it had much effect on sexual morals, but said that those involved 'like to be rebuked', since

> 'it cleans and restores them thoroughly in the church; a large proportion of them come to be rebuked'. 1

This procedure, Strahan claimed, 'is considered whitewashing'.[2] We shall see below how the church eventually came to deal with it. But in the present context it may be noted that, just as those magistrates who at an earlier date had provided de facto wedding certificates for irregularly married couples by giving them a court record for a nominal fine, so in this case ministers and Sessions entered into collusion with sinners. If this was in fact how discipline worked, then ministers might well not have been willing to admit to understanding the sexual behaviour and marriage customs of their parishioners - as long as the disciplinary system continued to creat the appearance that the church was still in control of their behaviour. This then could have been one reason why the church representatives based their case on a state of affairs which scarcely existed.

There were also other reasons. The Commissioners asked Strahan why, in his opinion, 'the clergy of the General Assembly and others, should be so attached to the system?' In reply Strahan made three points. First, he thought that there was 'a confusion when people talk of the Scotch Marriage

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1. Royal Commission: Op.cit., p.174.
2. Ibid.

Law':[1] regular marriage before a Presbyterian minister in a private house was often called 'a Scotch marriage' and it was thought by some people that it was this, which was popular, rather than irregular marriage, which was rare and unpopular, which was currently in question. Secondly, said Strahan,

> 'a number of clergymen have an idea that marriage with a written promise is a means of doing justice to the woman', 2

but what they failed to understand was the infrequency of written promises and the lack of legal connection between whatever promises were given and the almost universal regular marriage. If Strahan was right about the infrequency of written promises,[3] these clergymen were either very ignorant of part of the law or of some of the people or perhaps of both.

The third reason, in Strahan's opinion, why the churches favoured the existing law was that 'some clergymen' were 'in favour of putting the different children of the same parents on the same footing'.[4] They were, in other words, in favour of the existing law of legitimation, per subsequens matrimonium, and Strahan thought that there might be something to this view.

Members of the Commission however denied that the legitimation law was in question, and the Commission did not in fact recommend changing it. But

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1. Ibid., p.173.
2. Ibid., p.174.
3. Strahan may or may not have been right about the infrequency of written promises: it was not something which could be easily ascertained. But his view that it required a good deal of 'coolness' on the part of the woman makes his account seem plausible, and it was supported by the evidence of other witnesses, notably Patrick Fraser, the Sheriff of Renfrew. On the basis of his judicial experience in filiation cases, Fraser gave the following example: (ibid., p.143). 'Take the ordinary case of a ploughman, which is a very ordinary case; the girl is sitting by the kitchen fire along with the man, et pares aetate et viribus coeunt. The ploughman and the servant girl have connexion according to the impulses of human passion, stimulated by temptation and opportunity, and without any reference to marriage. That is my notion of illegitimacy in Scotland ...' Fraser saw this as normal, except in 'one or two counties in the north' where ' it is very common amongst the lower orders, and also the middle classes, where they have taken each other as lovers, to have connexion before marriage, and if the woman becomes enceinte, the man marries her, but very often does not.'
4. Ibid., p.174.

But it was a point on which Scotch and English law differed,[1] and in registering his dissent from the Commission's proposal to abolish irregular marriage the Lord Justice General of Scotland[2] stated that

> 'if the great end of Marriage Law reform is uniformity in the laws of the different parts of the United Kingdom, it will be very difficult (after a general statute, founded on the recommendations of this report, shall become law) to resist the progress and expansion of the favourite idea of uniformity, when it comes to be suggested by-and-by, that the small remnant of disconformity, still to be found in the Scottish legitimation per subsequens matrimonium, should in turn be abolished.' 3

It is of course an open question whether, if what the Commission recommended had passed into law in 1869 instead of in 1939, this would have followed, but among Strahan's reasons it seems the only one which did not make the churches seem either ignorant of or confused about the subject of irregular marriage. Dealing with the churches' evidence, the Royal Commission commented that while the clergy of the Presbyterian churches 'represent, in matters concerned with religion, the sentiments of the great majority of the people of Scotland', and while 'they practically administer the system of regular marriage', the system on which their comments on irregular marriage was based was that of regular marriage and they were not thereby in a position to judge whether the law of irregular marriage was 'salutary or otherwise'.[4]

One further point may be made here about elements of ignorance or confusion in the churches' testimony. Their representatives had argued in favour

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1. English law, unlike that of Scotland, France, Spain, Portugal, Germany and most other European countries did not receive legitimation per subsequens matrimonium. An attempt to introduce it in 1235 was supported in Parliament by the bishops but rejected by the temporal lords 'quod nolunt leges Angliae mutari'. (Ibid., p.81.) This reasoning was now operative in the Scotch law.
2. John Inglis.
3. Ibid., p.lv.
4. Ibid., p.xxix.

of retaining irregular marriage on the ground that the 'more formal' system of English law gave rise to more cases of bigamy and seduction than occurred in Scotland. In making this accusation they were not alone: much the same thing was suggested by some of the legal witnesses. But again the churches and those who agreed with them were short on evidence for their statements. Seduction, the Commission found, could quite easily take place under the existing Scotch law, since so many people were unaware of the need of a written promise to make sure that marriage followed; and the Roman Catholic Vicar Apostolic of Western Scotland had complained quite specifically of bigamy among 'ill-instructed and ignorant Roman Catholics'[1] who thought that because their first irregular marriage was illicit it was also invalid. There were, it was true, proportionately more cases of seduction, bigamy and divorce for adultery before the English courts, but the Commission did not consider that this was due to the absence of irregular marriage from the English law.

In reply to further criticisms of England made by the churches and others the Commission stated that although it was suggested that the Scottish illegitimacy rate only appeared greater because the Scottish registers were more accurately kept, and because children registered as illegitimate were subsequently legitimated by the marriage of their parents, no hard evidence had been produced for this.[2] (The witnesses who had suggested this had

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1. Ibid., p.12. Irregular marriages among Scottish Roman Catholics were in the eyes of that church valid, since the Tridentine Decree Tametsi had not been promulgated in Protestant Scotland. Catholics were, however, instructed to regard irregular marriage, or any marriage not celebrated according to Roman rites, as sinful and unlawful; and these could be invalidated if there were impediments, of which Rome still retained more than the Reformed churches.
2. Although this could have been proved or disproved, in cases of subsequent legitimation, by reference to the Registrars, if those who made the claim had cared to enquire.

tended to base what they said about England on hearsay.)[1] In proportion to the population no more marriages were registered in Scotland than in England, whereas the number of illegitimate births registered in Scotland was proportionately not less overall, and 'in some Scotch counties exceeds the maximum rate even of the least moral districts in England'.[2] On the claim that 'avowed concubinage' was less common in Scotland the Commission suggested that Scots did not call concubinage 'by its proper name' (that is, that it was passed off as habit and repute) and cited the evidence of the Corporation of Edinburgh and the Parochial Board of Leith, both of which had complained of the amount of urban concubinage.[3]

3.5 The Cost of Banns.

In complaining of this there bodies had also been complaining of the excessive fees charged by the Established Church for the proclamation of banns. The complaint was universal, and only the Church of Scotland itself, among the churches giving evidence, had failed to mention it. The U.P. and Free Churches had both complained bitterly, as had the Roman Catholics, that banns, which were the only recognised preliminary to marriage, were the perquisite of the Established Church. Even Dr. Stark, the Superintendent of Statistics for Scotland, who had been the convenor of a Church of Scotland committee on irregular marriages in the 'fifties,[4] shared in the criticism.

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1. A fatal weakness of much which 19th century Scots said about English habits: In the famour debate of 1863 in the Free Church on the Sunday opening of the Edinburgh Botanical Gardens, Charles Cowan, the M.P., was making a mild defence of the case for Sunday opening, and was interrupted by the Edinburgh Baillie, Blackadder, who said, damningly, 'Mr. Cowan has been ... for a time in the south, where the seventh day is not only a day of work, but a day of amusement. The theatres are all open.' 'That', cried Cowan, no doubt in despair, 'is not the case in England.' To which the invincible Baillie replied: 'I am afraid that it will be the case in Scotland.' It clinched the case against Cowan. (F.C.G.A. P.& D., 1863, pp.325ff.)
2. Royal Commission: op.cit., p.xxxi.
3. Ibid., p.46.
4. In connection with Brougham's Act.

The system of proclamation of banns was criticised on two grounds. Firstly, it was said that divisions in the Reformed Church made the parish church no longer a place where the community as a whole met, and thus the purpose of publicity was not achieved. Secondly, complaints were made that banns were read three times on one Sunday, rather than once on each of three Sundays, only if the parties were willing to pay a larger fee to the Session Clerk. (The Session Clerk read the banns before the service began although in some churches the precentor might read them.) The price charged by Session Clerks seems to have varied from place to place. Between 7/6 and 10/6 for proclamations on three Sundays and about one guinea for all three proclamations on the same Sunday seems to have been the average fee. Since the average weekly wage of Scottish working men at this time was about 9/-[1] (and agricultural labourers were below the average) the charge that the cost of banns, which were necessary for a regular marriage, was an inducement to irregular marriage, seems to have had some foundation.[2] Even the Principal Clerk to the General Assembly of the Church of Scotland seems to have been rather uneasy when explaining the 'lax practices'[3] which involved a higher fee for three proclamation on the one Sunday; and the minister of St. Mary's parish in Edinburgh, who thought it involved 'a very objectionable principle', seemed positively relieved to inform the Commission that although the Session Clerk held 'a lucrative office'[4] in large parishes, (his had 8,000 inhabitants) the minister received no part of the proclamation fee nor any fee in connection with performing marriages.

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1. Vide G.F.A. Best: Mid-Victorian Britain, 1971, p.98.
2. Especially since the registration of irregular marriage cost only 5/-.
3. Royal Commission: op.cit., p.146. He pointed out that these fees were 'the source of emolument of the Session Clerk in most parishes'.
4. Ibid., p.150.

3.6 The Commission's Conclusions.

The Royal Commission, when it reported in 1868, naturally enough then, recommended the abolition of banns as a necessary preliminary to marriage. They had outlived their usefulness. Instead, due notice of marriage was to be given to the minister or civil officer concerned and this was to be recorded, 'filed and preserved',[1] but not generally published. 'We look,' said the Commission, 'upon the exhibition of notices ... as nugatory'.[2]

This was the only one of the Commission's main recommendations (it also dealt with minor matters concerning the rights of non-Anglican ministers to marry British subjects abroad - rights which the Scottish churches naturally argued for) to be accepted, and even this was accepted only in part. The Marriage Notice (Scotland) Act of 1878 introduced the system of written publication on the Registrar's office door (nugatory or not) as an alternative to, but not in place of proclamation of banns. The General Assembly of the Church of Scotland[3] did not appose this Act, and by implication conceded that there had been abuses; it instructed its ministers to prevent the exaction 'of any fees higher than absolutely necessary to meet the expenses of making and certifying the publication'.[4] At the same time, however, the Church was not willing to recognise the alternative system and required that banns, in addition to notice, be published before its ministers should conduct the ceremony.

The other churches were much more sympathetic to the change, as might be imagined. The U.P. Synod petitioned Parliament in 1876,[5] and again in 1877,[6] to pass the Marriage Notice Act; and the Free Church, going even

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1. Ibid., p.xii.
2. Ibid.
3. C. of S. G.A.R., 1878, pp.717ff.
4. Ibid., p.718.
5. U.P. Synod Papers, 1876, p.735.
6. Ibid., 1877, pp.102ff.

farther, pursued Government throughout the late seventies and early eighties with appeals for the total abolition of banns and the implementation of the Royal Commission's original proposals on this subject. The Free Church's abolitionist zeal was heightened when, in a case brought by the (Established) Kirk Session of Cambusnethan to interdict the minister and Kirk Session of the quoad sacra Parish of Wishaw from proclaiming banns in the latter's church, the Court of Session, supported by the House of Lords, concluded (in 1875) that the proclamation of banns was 'part of the discipline of the church, which the state simply recognised and confirmed';[1] and that banns could be proclaimed in a quoad sacra church, since banns were part of what was covered by the term 'sacra'. This case (which no doubt confirmed Free Church suspicions about the avarice of the Establishment - and certainly it seems discreditable that the Sessions had to resort to litigation) removed any possible doubt that the reason for proclaiming banns in the parish church was a civil one. Dissenters, as an Established minister commented (in a favourite phrase of nineteenth century churchmen) 'had to bow like Naaman in the house of Rimmon'.[2] Understandably, therefore, Free Churchmen were incensed. The Session Clerks of the Established Church, one speaker in the Free Assembly of 1878 claimed, were 'hangers-on to the Government Establishment in Scotland', practising 'extortion'. The whole system of banns was

> 'a relic of the old Popish system; it was a kind of Papal aggression, worse than the hierarchy for it attacked the pockets, while the hierarchy did not'. 3

Support for the Marriage Notice Act was not however universal throughout the Free Church, for in the following year another speaker in the Assembly

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1. A. Edgar: The Church and the Marriage Notice Act, 1878, p.10.
2. Ibid.
3. F.C.G.A. P.& D., 1878, pp.40ff. The speaker was Mr. McMicking of Glasgow and Helensburgh.

complained that now the celebration of marriage, 'a religious service', which had previously depended upon the proclamation of banns, which was 'an ecclesiastical function', was to be performed by ministers 'upon the sanction of a civil functionary'.[1] But this view was given short shrift. It was, the speaker of 1878 declared, Popish, and in the Free Assembly that was enough to squash any suggestion. James Begg, however, seems not to have shared this view, since he, by his own process of reasoning, remarked that there was 'something secular' about the whole idea of proclaiming banns on the Lord's Day. The Free Church however avoided getting into any deeper water on the subject by agreeing to welcome the 1878 Act and by discharging in 1881 the committee which had been watching over the subject.[2]

In doing this the Assembly described the Marriage Notice Act as 'the first instalment of a Disestablishment and Disendowment Act of Parliament',[3] and it is in this context rather than in the context of any theological reflection specifically concerning the nature of marriage that the churches' pronouncements on banns have to be understood.

The Royal Commission's recommendations about banns were part of a larger package which did not see the light of legislation. Its other recommendation included the abolition of marriage per verba de praesenti and marriage by promise subsequente copula, together with the introduction of civil marriage in the office of local registrars. But, as has already been mentioned, the Lord Justice General for Scotland had entered his dissent to the report, defending the way in which the Scottish system of irregular marriage removed

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1. F.C.G.A. P.& D., 1879, p.37. The speaker was Mr. William Balfour, whose remarks were related to a fear that if marriage with a deceased wife's sister became legal the Registrar could issue a certificate for such a marriage, whereas the church would be unable to proclaim banns for it. (See part three below.)
2. F.C.G.A. P.& D., 1881, p.47.
3. Ibid.

any possible doubt about the validity of a marriage. This, together with the much talked about public opposition to change, had its effect and these forms of irregular marriage survived until 1939.

In fact the number of registered irregular marriages was rising at this time; and until 1939 they continued to increase in number and in proportion to regular marriage. At this point we can simply note, without comment, three reasons which have been advanced[1] for this increase: first, that as

> 'the possibility of registering irregular marriages became better known and as the population became more literate and more accustomed to the idea that an official marriage certificate was desirable a larger proportion of irregular marriages would presumably be registered.' 2

Thus all irregular marriages may not have been increasing at the same or even at as great a rate as were the number being registered; second, that towards the end of the 19th century 'there may have been more people who preferred a civil marriage as such',[3] and although registration was not strictly civil marriage, it was sometimes thought to be; and third, that some lawyers made a business of arranging the registration of irregular marriage for those who wanted to avoid the delay and difficulty of marriage before a minister (although the parties were, in fact, often involved in as long a delay by this as by the regular process).

4. Myths and Tactics.

The evidence presented to the Royal Commission of 1865 by the churches and others confirms some impressions formed in reviewing the work of the Housing Committee and other contemporary church pronouncements, and leads us to make the following observations at this point.

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1. By A. Ashley in The Honourable Estate, 1950, p.38.
2. Ibid.
3. Ibid.

Firstly, the high illegitimacy rate of Scottish lowland rural areas seems to have been symptomatic of a fairly high incidence of premarital sexual intercourse among farm workers and small farmers in these areas. The criterion of sexual respectability among members of this class appears to have been that of whether or not the woman eventually (ie. not too long after the discovery of conception) married. The class of gentlemen farmers, the middle classes in general, fishing communities, Highlanders and even the industrial working class outside large cities seem on the whole to have been rather more careful in ensuring that marriage preceded conception. It is difficult to say much in the present context about the sexual and marital behaviour of the urban working class.[1] It is however fairly clear that these aspects of nineteenth century Scottish rural society did not diverge very widely from what other studies suggest was the normal rural pattern throughout much of Europe. One authority on the family has described this pattern as follows:

> 'The supposed high level of "rural morality" may be only a widespread myth. In much of north and central Europe, and in rural regions of France, Holland and even Scotland, a widespread pattern of courtship during the eighteenth century included premarital sexual intercourse and, especially in south Germany, Austria and Sweden, a relatively high rate of illegitimacy (about 20 per cent.). Outsiders were barred from this courtship pattern, since they were of different social status and could not be held to account. The pairing-off process was evaluated and shaped by peers as well as parents. Young men could not escape their responsibilities without leaving the region and thus abandoning their sole means of a livelihood, the family farm. Marriage often postdated the birth of a child, but the couple was eventually united legally. Both church and state denounced the pattern, but in some regions it continued until

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1. This difficulty is not necessarily inherent in the subject. It arises here because of the narrow documentary base and predominantly theological interest of the present study. In the present context therefore it is not possible to check these impressions in any detail nor to account for regional variations to any great extent (although more will be said about the latter in subsequent chapters).

> well into the nineteenth century. It permitted some sexual freedom among the young, but maintained close social control over marriage.' 1

This courtship pattern then was similar to what appears to have existed in those parts of Scotland of which Strahan's description was representative. An important aspect of it was, as he recorded, that rural society did have methods of controlling legitimacy, even if the social definition of legitimacy did not square with the legal one. Even here, however, the gap between the two, given the legal doctrine of subsequent legitimation, was not so very great. How irregular marriage related to the control of legitimacy is far from certain. If, as was widely believed in the nineteenth century, one third of all eighteenth century Scottish marriages were irregular, then irregular marriage must in some communities have performed a function analogous to regular marriage, as far as legitimation was concerned. But then, since it was or was believed to be legal, there is no reason why it should not have done so. Our knowledge of the incidence of irregular marriage prior to the nineteenth century is however too sketchy for any definite conclusions to be made about this. And as far as the mid-nineteenth century is concerned it appears to have been of only marginal social significance.

If the description of a European rural courtship pattern quoted above is thus in some respects consistent with that appears to have been going on in nineteenth century Scottish society, in two other respects there are significant differences.

The courtship pattern described was one which existed in a relatively static society, and outsiders were barred from it. But by comparison with what had gone before it nineteenth century Scottish rural society was not static. The family farm was no longer the sole means of livelihood: on the

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1. W.J. Goode: The Family, 1964, p.27.

one hand many families no longer had farms: on the other, alternative forms of employment, agricultural and industrial, now existed. Farm workers now moved about, many of them frequently and with little regard to family ties. It was therefore much more difficult to exclude outsiders, and if Strahan's estimate, that about one third of courtships ended with the departure of the father to another farm, was correct, it is clear that the safeguards attached to the old system of courtship were not able to operate in many cases because of the new conditions.

If then, as seems likely, the ecclesiastical anxiety about illegitimacy which we have described was grounded in an awareness of some such breakdown in the methods by which rural society controlled legitimacy, then it was perhaps not entirely unjustified. And if the increased mobility of some farm servants did in fact lead to a larger proportion of unmarried and abandoned mothers, then the churches' representatives, pointing an accusing finger at bothies and bad housing were not entirely on the wrong track. In isolating these factors they were probably mistaking the symptoms for the cause. But then, those of them who were interested were, as has already been noted, social reformers rather than social scientists; and if a social reformer was intent on arousing public opinion to desire, (although perhaps not to effect) change, he was as likely to be successful by such methods as by means of a detailed and careful analysis of a situation which was in any case changing as he described it.

The existence of such social reformers and of a rudimentary form of social science was in itself the second of the significant differences between the traditional European courtship patterns and what was going on in nineteenth century Scottish society. Before the Registrar-General published his statistics the subject of rural sexual behaviour could be discussed either in anecdotal terms or, at best, in terms of local statistics. In either case the behaviour under discussion was that of a population of which the discussants

probably had some first-hand knowledge. But as statistics assumed a greater importance this first-hand knowledge, while it continued to play a part, was subordinated to the knowledge of statistics and to analyses of the situation in less personal terms. The subordination of first-hand knowledge of the behaviour of individuals to the more general knowledge of social scientists and reformers (the distinction between these was not clear: the Registrar-General and Strahan were as interested in the practical bearing of their information as was Begg) led to statements being made about farm workers as a class, which while they may have been true of the majority, undermined the myth of rural morality. Since, in its own terms rural society had been moral - that is to say that it had exercised its own forms of social control over sexual behaviour - prior to the upheavals of the late eighteenth century, the demythologisation of rural morality helped to harden the middle classes in the conviction that farm servants were a race apart, by exaggerating the difference between their and their own respective patterns of sexual behaviour. Quite important differences did exist between these patterns and they were, apparently, growing at this time. And these differences would have existed quite apart from the reflex action of social scientific study upon them. But this reflex action, demonstrated in the attitudes of the middle classes, did nothing to help and may have hindered the survival of the social control of sexual behaviour in rural areas. Blanket condemnation of rural immorality falsified the situation in the eyes of the middle classes and led them to regard agricultural workers in such a way as to discourage the latter from any attempts they may have wanted to make to recover from the disintegrating effects of social change.

This was the context in which church pronouncements on the subject were made. But, as we have seen, condemnation of rural immorality was only one side of the churches' complex attitude to this question. The churches were not willing to go the whole way with the demythologisation of rural morality.

They also wished to preserve the myth, and their desire to do so was discernible both in the confused opinions they appeared to hold on the subject of irregular marriage, and in the apparent hypocrisy of the way in which Session Discipline, as described by Strahan, was exercised.

The churches' desire to preserve the myth of rural morality led them to misunderstand the nature of traditional rural morality, which they equated with that of the middle classes. It led them also to contradict themselves in their estimates of contemporary rural sexual behaviour. Their misunderstandings and contradictions were, in part, the consequence of their ignorance. Many ministers were so insulated within the confines of their bourgeois congregations that they did not acquaint themselves with the lives of many of their less committed parishioners. But ignorance was not the only reason for what they said or failed to say. There was method in their misunderstanding, even if it was unconscious.

The declared aim of the churches was, as we have seen, to raise the level of public opinion among the rural working classes on the subject of sexual behaviour. In effect this implied an effort to make rural working class behaviour approximate more closely to that of the middle classes. Much can be said in criticism of the means adopted to further this end. Begg, for example, saw clearly that for the working classes to adopt middle-class forms of behaviour it was necessary for them to have a foothold in a property-owning society. But when this point was pressed by Begg the churches became cautious, sensing in the elevation of the lower story a threat to middle-class supremacy. The churches' caution in this respect thus makes their claims appear, in historical perspective, less credible. Nevertheless, although it is no part of the present purpose to present an apologia for these nineteenth century churchmen, it may be said in their defence that their attempt to raise the level of public opinion was a response, however inadequate, to a situation in which the traditional social controls of sexual behaviour were breaking down under the

weight of contemporary social and economic conditions. It was a response moreover whose logic led to the development of what Begg proposed. Given the social changes which were taking place, rural society could not on its own exercise traditional controls over sexual behaviour and new forms of control had to be found.

In this context the churches' desire to preserve the myth of rural morality was not entirely out of place. If two thirds of the agricultural population still desired regular marriage, and if some of them were still willing to submit themselves voluntarily to Session Discipline, rural morality, even if misunderstood, was not yet a myth. It was possible therefore for the churches to hope that their evocation of an earlier and more moral Scotland might have some effect. The revivals of the period added some credibility to the hope that the preaching of the evangelical gospel might improve the morals of the people, as it had done in earlier centuries.

But how far it had in fact done so is highly debateable, and brings us back to the question of how far Scottish rural society can be equated with what has been described as the European pattern. It was assumed above that rural Scotland had not been very different from other rural societies. But what we do not know here is how far the courtship customs which seem to have existed in mid-nineteenth century Scotland had been suppressed by Session discipline, especially in the seventeenth century - or how far, if they existed throughout this period, the concomitant controls over legitimacy were sufficiently tight to ensure that, although premarital sexual intercourse was tolerated, marriage normally preceded the birth of any children. It is difficult to form any firm conclusions about this subject here, but some evidence supporting this latter possibility is provided by the contrast between the South-West, where the illegitimacy rate was high, and the North-West, where it was low. The South-West had been a Covenanting stronghold in the seventeenth century, but by the nineteenth its congregations were not markedly

evangelical, if adherence to the Free Church was any indication of this.[1] In the North-West, by contrast, evangelical religion was a more recent and more influential social factor, and may have played an important part in the situation which inhibited illegitimacy.[2]

But this is not the place to settle these questions - if indeed they can be settled. What we are primarily concerned with here is the churches' response to their situation, together with how what they did or failed to do was legitimated by them in theological terms. In considering this question we have noted in passing a number of different forms of response. In connection with the subject of the social control of sexual behaviour we have seen how an already existent atmosphere of ecclesiastical concern over a supposed decline in working-class sexual morality was heightened by the illegitimacy controversy of the ~~light~~ late fifties. This controversy threatened the idealised self-image of the churches, not least because of the high illegitimacy rate among the rural population, over whose everyday life the church might have been assumed to have had greater influence than over that of town dwellers. The churches did not respond to this situation, we have seen, by means of an overall strategy: the internal divisions of Presbyterianism, on the one hand, and on the other, the absence of the desire or the ability to exercise a coercive form of social control over sexual behaviour (except in terms of general watchfulness among parents and employers) meant in effect that the Calvinist

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1. It was of course only partially so. However the membership figures for 1879 (Howie: op.cit., p.38) gave these proportions: Synods of Dumfries and Galloway: C.of S. 33, F.C. 12, U.P. 5; Synods of Ross, Sutherland and Caithness: C.of S. 19, F.C. 30, U.P. 2; The corresponding figures for Scotland were: C.of S 52, F.C. 30, U.P. 17. (These figures all include the Gaelic adherents.)
2. Or, perhaps, in distorting the illegitimacy statistics, since there is always the outside possibility that, in the early days of registration, local registrars in the Highlands, being themselves members of communities in which illegitimacy was frowned upon more than elsewhere, may have accepted at face value the custom of regarding some illegitimate children as the late offspring of their grandparents.

strategy was no longer viable. In its place the churches resorted to three sets of tactics. The first set of tactics was that which was used by the Housing Committee of the Free Church, whose aim was to interest public opinion in those social conditions which encouraged the evils complained of, and who consequently emphasised the serious nature of those social conditions as much as possible. These tactics were vitiated to some extent by the difficulty involved in proving the causal connections which were being suggested, and by the fear of identifying the Free Church with radical political pressure groups, and thereby either secularising or dividing the church. These tactics were however successful to the point that the connection between social factors and morality was gradually accepted by the churches.

The second set of tactics was that which was used by the Religion and Morals Committee of the Free Church, by Guthrie and to some extent by the Church of Scotland and the U.P.s. These tactics (whose validity the Housing Committee also in the last resort acknowledged) were aimed at 'raising the tone of feeling and opinion on this subject, especially among the labouring population'.[1] It was difficult, in the area of sexual behaviour, however, to give expression to this in practical terms. Over the drink question it was easier: supportive legislation could be worked for, public houses could be closed or their hours limited, and temperance associations could be formed. Sex was more problematic. Associations like the White Cross League, and the Onward and Upward Association would play a part in the near future, and towards the end of the century the churches would attempt to do more about urban prostitution, but the social phenomenon with which they were primarily concerned at this point did not readily lend itself to such direct action. It had therefore to be treated as part of a larger religious problem, and as we

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1. Vide Ch. 3, 2.2, above.

have seen the Free Church viewed it as a lapse into paganism from the high religious standards of the seventeenth century, while the Church of Scotland regarded it as a form of backsliding among persons who were still basically Christians. These two approaches reflected, on the one hand the nominal adherence of large sections of the lowland rural population to the Established Church, and on the other the voluntary character of the Free Church outside the Highlands, in this respect at least. In practice the different approaches of these two churches meant that the Free Church at this stage had a much greater investment in revivalism than had the Church of Scotland (although the latter's attitude would change). These different approaches were reflected in the churches' different disciplinary practices. The Free Church was gratified that it had so few cases to deal with, but since its jurisdiction was restricted to its membership, this was not particularly surprising. The Establishment on the other hand exercised discipline over a wider sphere, but after the fashion of a semi-superstitious folk-religion. Neither the Established Church, nor the Free Church, nor for that matter the U.P.s thus seem to have exercised very much control over sexual behaviour by means of their disciplinary systems as such.

The third set of tactics exercised by the churches - or at least endorsed by their Assemblies, concerned irregular marriage and provided the churches with something of a long-stop. They saw irregular marriages as minimal safeguards of sexual order and defended them on the ground that their continued existence was desired by the Scottish people. In doing this they acted without any regard for theological principles - certainly without regard for the insistence of their Reforming forbears that marriage should always be a public event. In some respects, of course, the Reformers' demands had been met: the majority of nineteenth century marriages were public events, and although most Presbyterian marriages did not take place in church buildings, this may have had more to do with the Presbyterian churches' low view of church build-

ings than with the relationship between the Church and marriage.[1] But given this there seems little theological basis for what the churches said about irregular or even regular marriage at this time. They took the attitudes they did largely because they had no real alternative. Basing what they taught on Scripture they found themselves without any Scriptural mandate for being marriage superintendents. This was a role which had been assumed by the church during a period which nineteenth-century Presbyterians either regarded as one of religious degeneracy or preferred not to think about. Their Reformed predecessors, still within that world, had been able to accept this role by making it part of the life of their holy community - a community whose perfect realisation would follow from their educational and disciplinary activities. In the nineteenth century this realisation remained too imperfect for the churches to enforce total regularity and publicity, but not imperfect enough for the State and public opinion to discharge the churches of their responsibility.

This was not a situation then in which any clear theological teaching by the churches concerning their relation to marriage might be expected. Their fundamentalist and undialectical attitude to Scripture did not help, and teaching on this subject was not forthcoming in this context. The churches did however have a few theological views about family religion and these will be considered in the next chapter.

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1. There was, or soon would be, criticism of this practice from within the Church of Scotland. Andrew Edgar (vide A. Edgar: op.cit., pp.36ff) pointed out that marriage in private houses was a departure from what was commanded in the First Book of Discipline. The same point was made by the Reverend John Mackie of Dalbeattie in an article in Life and Work in 1884. (Vide Life and Work (August) 1884, pp.124ff.) He argued for marriage in church 'on the ground of antiquity, solemnity, economy and morality'. (Economy, because of the heavy cost to young couples of the home marriage feast, fear of which 'oftentimes ... helps the postponement of marriage'; morality, because 'the drinking and dancing through the midnight hours that sometimes - we do not say often - accompany the household celebration of marriage are not calculated to promote what is pure and lovely and of good report' (ibid., p.125).) Mackie claimed that 'only within very recent years' had a trend towards marriage in church re-appeared, and he was writing to defend this against the charge of 'Anglicising'.

CHAPTER FIVE:

PASTORAL ADVICE ON FAMILY RELIGION: 1850-1870.

Up to this point we have been discussing the churches' pronouncements on sexual behaviour, discipline and the constitution of marriage. Now, in turning from these to pronouncements on family religion, it might seem reasonable to expect some shift in the churches' interest - from the things of the flesh to the things of the spirit, or from external behaviour to inward piety. The transition however is not quite so abrupt: the term 'family religion' referred as much to the supervision and discipline of children and domestics as to family worship; and even in their discussion of family worship, the churches were concerned with external behaviour as well as with inward piety. Yet at the same time, it cannot be denied that they were concerned with inwardness. And here, if anywhere, in their appeal to the subjective religious awareness of the people, some impression may be gathered of how far the churches believed that their own understanding of piety reached into the homes of the Scots.

1. Family Worship and the Scottish Presbyterian Tradition.

By way of a very brief introduction to the pronouncements we may note that family worship, although by no means an innovation of the Reformers,[1] was important and integral to Reformed piety, providing it with a model for public worship. In the seventeenth century it was assumed that family worship was regularly practised in the Christian home. Observance of it was a condition of election to and deposition from the eldership.[2] And Kirk

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1. Family prayers were integral to pre-Reformation English Catholic piety and in Scotland were enjoined by Hamilton's Catechism (1552). Vide L.L. Schücking: The Puritan Family, (English Edition, 1969), pp.61ff.
2. G.D. Henderson: op.cit., p.126; and Acts of the General Assembly of the Church of Scotland, 1638-1843 (1843), 1649, xiii (p.241), and 1697, vii (pp.259ff.).

Sessions conducted investigations to see that it was kept up.[1] Since daily services of worship and lectures were held in the churches - at least in the towns - a good deal of time must have been spent in religious exercises of one kind or another. Despite, or perhaps because of this, General Assemblies condemned the neglect of family worship, in 1596, and urged its better observance in 1694, 1697 and 1711.[2]

We shall not speculate here however about how widely family worship was neglected or observed in the seventeenth century. Suffice it to say that by the nineteenth the notion that family prayers had been universally observed in the good old days was a well-established part of Presbyterian mythology. And that, in the figure of the Cottar conducting family worship, Burns gave the churches an example of domestic devotion to which ministers seeking inspiration and sermon illustrations would repeatedly turn.

Evidence that Burns' Cottar was more than a myth was provided by Aiton when he wrote:

> 'All ranks of people in Ayrshire, devoutly ask a blessing to each meal, and a considerable part of them perform family worship daily. As these exercises are performed extemporary, and set forms rejected, the language used is homely, and often absurd. They are generally too ambitious to introduce into their graces and prayers, scripture phrases, which they do not understand and sometimes misapply, so grossly as to render their language inconsistent. Instead of retailing sentences of scripture, or those they pick up from clergymen, the meaning of which they do not comprehend, it would be much better for the clergy to compose for them a few pious prayers, in a plain and easy style, which the simplest might easily understand, and which could either be read, or committed to memory, and repeated correctly, in a decent and proper manner.' 3

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1. G.D. Henderson: op.cit., p.127.
2. Ibid., p.126.
3. Aiton: op.cit., pp.166ff. Aiton also criticised the Ayrshire custom of praying over sick persons by elders and 'all who were fond of performing worship': 'Devotion is highly becoming in its proper time and place, and sickness and death ought to excite every one to such exercises; but when any person is very ill, noisy worship is apt to prove fatal to them.' (Ibid., p.167.)

Here, as elsewhere, Aiton was anticipating what was to happen in the Church: The Church of Scotland issued a book of 'Prayers for Social and Family Worship' in 1859 and the Free Church, despite protests, published a book of family prayers in 1891. But before they produced these books the churches were beginning to become aware that the Cottar was not so common a figure as had once been supposed; and in expressing their concern about this they did not for the most part express themselves in Aiton's cool and rational accents.

What the churches had to say on this subject, between 1850 and 1870, was expressed in a series of Pastoral Addresses: in a Pastoral Letter issued by the Church of Scotland in 1836 and re-issued in 1869, in an address by the U.P. Synod, issued in 1857, and in a series of addresses issued by the Free Church in 1858, 1860 and 1862.

2. The Perennial Piety: the Pastoral Letter of the Church of Scotland: 1836 and 1869.

The Church of Scotland's 1869 Pastoral on 'the Increase of Immorality in Rural Districts' had, as we have seen, referred to family worship as a prophylactic against sexual immorality. But the letter we are concerned with here had originally been issued long before the alarums of 1858, and its re-issue in 1869 seems not to have been related to the illegitimacy question. It was one of a series of letters on the religious duties of the church's people, drafted by Dr. John Lee, Assembly Clerk and Principal of Edinburgh University, whose compositions even Chalmers praised.[1]

In issuing this Pastoral, the 1836 Assembly had disavowed 'any recent ground for apprehending' that family worship was 'likely to fall into more extensive neglect': they knew however 'too well' that it was 'by no means universally practised',[2] and desired to remind members of the Church of Scot-

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1. Vide J.H.S Burleigh: A Church History of Scotland, 1960, p.372.
2. Church of Scotland Committee on Aids to Devotion: Family Prayers, 1871, p.2.

land, whose 'faith and devotion have long been spoken of throughout the world', of their obligations, so that they might continue to be like their 'forefathers in times of clearest light'.[1] Family worship, they were reminded, was as necessary for spiritual nourishment and refreshment as eating and sleeping were to the body. Scripture, they wrote, enjoined this duty

> 'at sundry times and in divers manners, adding line upon line, precept upon precept, promise upon promise, and threatening upon threatening, so as to bring perpetually to remembrance both the blessings which are multiplied to them that fear the Lord, and the fury which is poured out on families which call not on His name'. 2

In the same solemn tone, and in language so permeated with quotations from and paraphrases of the Authorised Version that in some paragraphs only the conjunctions were unscriptural, the Letter went on to describe the blessings experienced by those whose participation in daily domestic devotions was not 'a mere formal ceremony'[3] but came from the heart. 'All men of sound mind and Christian experience', its readers were reminded, had always regarded the domestic altar not as 'the imposition of an irksome yoke',[4] but as a great privilege; and the benefits of such worship were to be seen in growth in 'the graces of humility, resignation and patience'.[5]

The Assembly, however, claimed no special insight into the divine economy. In a passage which suggests that even they might have regarded prayer as something of a problem, they observed that although God had prior

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1. Ibid., p.1.
2. Ibid., p.3. This passage is a composite of Isaiah 28:10 and 13, and Jeremiah 10:25. As Scriptural authority it is dubious - even for fundamentalists - especially since the original of the latter part was not a divine promise but a prayer by the prophet (or perhaps a later addition) to God to 'Pour out thy fury on the heathen that know thee not, and upon the families (ie. peoples) that call not on they name; for they have eaten up Jacob ... and have laid his habitation desolate'.
3. Ibid.
4. Ibid.
5. Ibid., p.4

knowledge of men's needs, men had no reason to expect that they would receive without asking. Prayer was not magic; nor was it explicable to 'our feeble understandings'.[1] 'It is not for us', the Letter stated, 'to unfold the laws of the spiritual world, or to demonstrate why and how it is that the communication of heavenly influence and favour are in any degree suspended on the frequency and fervour of our supplications'.[2] It was simply a matter of experience under the Old and New Covenants alike that believers received grace through prayer.

Family prayer was important also, of course, in the upbringing of children. Although it was not 'within the compass of human ability to infuse grace into the souls which are most tenderly beloved', yet, the Pastoral ventured, 'great will probably be the influence of a pious example on those who confide in your affection and have cause to revere your worth'.[3] Even if the child did not respond immediately, and even if he went wrong, he might afterwards be 'awakened to a new obedience, by recalling to his agonised mind with reverential awe the solemn image of the parental guide, in whose quiet habitation the daily exercises of prayer and praise hallowed every pursuit'.[4]

After an appeal to its hearers to pray for non-praying families, the Letter concluded by asking them to pray for times of blessing in which the household of faith might be enlarged. In making this last request the Assembly had not in mind local revivals (of which many of its members were suspicious) but 'plenteous showers of blessings, not confined to ... any privileged community, but dropping down fertility far and wide over fields coextensive with the inhabited world'.[5] Then, it declared, 'the ways of Sion, which have mourned because few came to the solemn feasts, shall be thronged with multi-

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1. Ibid.
2. Ibid., p.5
3. Ibid., p.6
4. Ibid., p.7
5. Ibid., p.8

tudes who keep the holy day with thanksgiving in their hearts'.[1]

The letter then was an appeal for more faithful observance of family prayer, in the hope that this would help bring about more godly, and more churchgoing, times. Its general manner is reminiscent of the Old Testament and implies similarities between the Jews and the Scots. It however misuses Scripture, lacks the specific element of Old Testament prophecy, and appears strangely dissociated from the concrete situation in which those to whom it was addressed were living. Although its language - too evangelical for a product of the late eighteenth century and too humane for a product of the seventeenth - makes it very much of its own time, it could, judged by its content, equally well have been written for any age.

This was perhaps why, although issued in 1836, it was ordered 'to be read from the pulpit on the first Sabbath after they received it'[2] by ministers of 1869. Five years earlier it had been inserted by the Assembly as a preface to their manual of family prayers. This book contained different prayers for morning and evening use on each day of four weeks, plus some additional prayers for use on Sacramental Fast Days and Sundays, on the last evening and first morning of the year (not yet at Christmas or any other festivals), and at times of sickness and bereavement. The prayers themselves, 'adapted, not to any particular class, but to the general circumstances of all Christian households',[3] were not long by Presbyterian standards: accompanied by the reading of a chapter from the Bible the exercise might have lasted for fifteen minutes; and they contained the conventional elements of adoration, confession, thanksgiving, petition and intercession. The language, like that of the

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1. Ibid., p.9
2. Ibid., p.x
3. Ibid., p.vi. Previous volumes had been designed for 'Soldiers, Sailors, Colonists and other persons who are deprived of the ordinary services of a Christian ministry' (ibid., p.v).

Pastoral, was reminiscent of the Authorised Version; and although the collect form was utilised, this was done half-heartedly, and the general style being discursive. The only sources acknowledged were two prayers of Calvin's, altered and amended, and two prayers 'from' Jeremy Taylor. There were prayers for the traditional virtues of faith, hope and charity, as well as 'for grace to fill our station aright',[1] and 'for earnestness in religious duties'.[2] We shall return below to the question of how far books of this kind were used.

3. Spiritual Backsliding among the Faithful: the Pastoral of the U.P. Synod (1857).

Like the Church of Scotland's Pastoral, that issued by the U.P. Synod in 1857[3] was not concerned with immorality - it was, after all, directed to the parents and families of the U.P. Church - but with spiritual backsliding among those who ought to have known better. No special circumstances seem to have surrounded the decision to issue it other than a request by a large number of U.P. elders.

The Synod, taking as its ideal a twice-daily diet of domestic devotion, was not sure how many of its families neglected regular family worship. It did however express concern that in 'many' U.P. homes 'the duty is only partially performed', and that, in many others, 'it is not performed at all'.[4] It was of course true that many families did live up to the ideal. But, generally, the Synod believed, 'in this respect we have declined from "the good old ways" of our fathers'.[5] That the U.P. Synod should have thought

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1. Ibid., p.xiii.
2. Ibid., p.xiv.
3. 'Address by Committee of Synod to parents and families of the United Presbyterian Church, on the Subject of Family Worship': United Presbyterian Monthly Record, Jan. 1, 1858, pp.3-6. (The hopefully auspicious date of publication was deliberately chosen.)
4. Ibid., p.4
5. Ibid.

this is interesting, since its members, the majority of whom were inheritors of the Secession tradition, were the least likely of Presbyterians to abandon - insofar as it was abandoning - the tradition of family worship.[1]

Some other points made by the Synod were similar to those in the Established Church's Pastoral. Prayer, both in private and in families, was a means of grace, and was commanded by God. It was important for the godly upbringing of children, and 'as necessary as are religious instruction and example'.[2] Indeed, by conducting family prayers in fulfillment of the vows taken at the baptism of their children, parents were giving instruction and example in the most influential way. Family prayer was also important for the success and prosperity of the church, which would be blessed as much by the daily prayers of its families as by their financial contributions. A further reason for it, the Synod told its people, was that God dealt with them not just as individuals but as families: family prayer was the appointed way to give thanks for family blessings, to understand 'domestic trials and afflictions',[3] and to confess family sins. But while encouraging its families in this way, and while appealing to their higher religious sensibilities, the Synod also warned them, in the same phrase used by the Establishment, that 'God "pours out his fury on families that call not on his name" '.[4]

4. The Pastorals of the Free Church.

4.1 1858: Commercial Crisis and Religious Revival.

The Free Church also sought to put the fear of God into backsliders, but its Pastorals were more closely interwoven with the public events of the

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1. G.D. Henderson (op.cit., p.254) suggests that there was a general decline in the observance of family worship in the early nineteenth century, but that 'probably it was better observed in the Secession Church'.
2. U.P. Monthly Record, op.cit., p.4.
3. Ibid., p.5.
4. Ibid., p.6.

period. The Assembly of 1858, which was very interested in the American revivals as well as in housing and illegitimacy, received a request from the Presbytery of Edinburgh for a Pastoral Address 'in connection with the disclosures, during the commercial crisis, of the way in which trade and commerce was often carried on'[1] and these aspects of the commercial crisis were woven into the Pastoral Address of 1858 as one of the four social factors which were obstructing the Spirit's work and hindering that revival with which the Address was primarily concerned. The other hindrances were the state of 'social relations' in general, intemperance and illegitimacy. The attack on intemperance took in

> 'more than habitual drunkenness. Occasional acts of it, which some seem to regard as scarcely sins at all, are absolutely fatal to the Christian character, if thought lightly of, or repeated from time to time. And even the state of flushed excitement - the marked change in the speech and behaviour, in which compliance with the usages of society frequently land numbers,is something quite alien to the perfect sobriety and command of mind and action, which God's children are bound to maintain'. 2

This 'sobriety and command of mind and action' was fundamental to the Free Church's view of christian character: it lay behind its criticism of commercial immoralities, insofar as it meant that you should not put yourself in a risky financial position where you might lose control of your affairs, while in matters religious it lay behind the fear, as a subsequent address[3] would put it, of 'mere excitement' during revivals. In addition, this view emphasised the dangers of the little sins which lead on to large ones, and the Address, turning to those 'immoralities through breach of the seventh commandment' which were 'grieveously numerous in Scotland' warned against the 'things to which this sin can often be traced - strong drink, love of dress and such

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1. Vide Appendix, note 1.
2. Acts of the General Assembly of the Free Church, 1858-1863, p.182.
3. That of 1860, ibid., p.290.

like'.[1] In its criticism the Assembly did not however analyse causes any further, nor, as was usual, did it say exactly what it had in mind, because, as it put it, 'the sin is so vile and shameful, that it can hardly be spoken about'.[2] But it seems pretty clear from the context that the condemnation was the standard Calvinist one of all forms of pre- and extra-marital sexual intercourse, including the more intense forms of courtship even when intercourse did not technically take place. The authors of the Pastoral, aware that, because the sin could 'hardly be spoken about', it escaped 'that rebuke and those warningswhich it so much needs', [3] described it in phrases from the Epistles,[4] and claimed that there was 'no dubeity in this language'.[5] Perhaps to their hearers there was not, since behind what they said lay a long tradition of the condemnation of sexual sins and the advocacy of continence. In this particular nineteenth century form however the advocacy of sobriety and self-control was in curious contrast to the extravagant language with which it was advocated.

The final hindrance to the Spirit and to revivals mentioned in the Pastoral brought it closer to the theme of family religion. What, according to the Assembly, was wrong with 'the state of social relations among us'[6] was, first of all, that family responsibilities were not taken seriously enough.

> 'Parents are required to rule in their households, and that with affection and firmness ... They are to regard themselves as charged with the spiritual as well as the temporal interests of their children ... To this end family worship and

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1. Ibid., p.183.
2. Ibid.
3. Ibid.
4. Galatians 5:19 and Ephesians 5:4.
5. Acts: op.cit., p.183.
6. Ibid., p.181.

> family catechising (alas how often are these neglected!) ought to be found in every family.' 1

This, together with the proper observance of the Sabbath was the parents' part. As for the children:

> 'submission, respect, love are necessary on their part ... Where is the religion of those who fail in their duty to their parents'? 2

But the family was not simply made up of parents and children; and the address went on to point out that 'domestic servants are also a part of the family'[3] however many masters and mistresses might overlook this. Thus,

> 'they should be instructed, watched over, guarded from temptation, directed, encouraged in duty, led to feel that they have an interest in the religion and the religious duties of the family'. 4

The Free Church's conception of the patriarchalism of love extended even farther, however:

> 'Cottagers and farm workers, and farm servants, workers in factories, mines and in shops of the different trades, with shop-assistants and clerks, have a strong claim on the Christian kindness and good offices of their employers. Thou art thy brother's keeper ...' 5

This inclusion of all employees enabled the authors to go on to remark that 'some of our most serious social evils' arose from 'the neglect of social duties',[6] and to mention specifically (and not surprisingly since Begg[7] was a member of the committee which drew it up) 'the dwellings of the working classes'. By the same token servants and employees were reminded of the 'duties required of them - faithful conscientious service - not eye-service,

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1. Ibid.
2. Ibid., p.182.
3. Ibid.
4. Ibid.
5. Ibid.
6. Ibid.
7. The language of the Pastoral is so like that used by Begg in the overture requesting it as to suggest that he had no small part in drafting it.

merely',[1] and told that if they were subject to bad employers they should wait with 'patient endurance till the proper season of change comes round'.[2] (Not that they had much choice: if they did make off they could be arrested for breach of contract.[3])

4.2 1860: Reviving the Family.

What the Pastoral of 1858 had to say on the subject of the family was taken up by the following Assembly, in response to an overture from members of the Assembly asking it to do something about the revivals and in response to another, from the Synod of Fife, asking it to devise 'such means as may seem best fitted for reviving family worship and household piety throughout the church'.[4] On the advice of R.S. Candlish, Melville to Chalmers' Knox in the Free Church, the two subjects were to be dealt with in the same Pastoral. This, Candlish believed, would provide an opportunity for applying

> 'The real remedy for almost all the evils under which the country groans, and especially the evil of licentiousness'. 5

What was needed, he remarked, in a now familiar phrase, 'was the raising of the standard of opinion among the people as regarded the sanctity of the family relationship'.[6]

In raising the subject, the Synod of Fife, like the U.P. Synod, had expressed its concern that 'there was a great want of the family worship which used to prevail almost universally over Scotland', and the minister from Fife who introduced their overture supported this contention by remarking that

> 'He remembered hearing it said that, in former days,

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1. Ibid.
2. Ibid.
3. Vide G.F.A. Best: op.cit., p.274.
4. F.C.G.A. P.& D., 1859, p.211.
5. Ibid., p.210.
6. Ibid., p.211.

> if a person passed through Kirkcaldy at a particular time of the evening, he would see every door shut, and find every family engaged, either in singing the praises of God, or reading the Word, or in prayer.' 1

Statements of this kind, based on secondhand reminiscences or upon accounts of the less reliable Presbyterian historians were common in Assembly, especially in Free Assembly discussions of this subject, and were used to demonstrate how much things had changed for the worse. For, as the minister from Fife continued:

> 'He was sorry to say that at present in Fife, as well as in other parts of the country, family worship was being much neglected. Sabbath schools had increased of late years, but there had not been the increased attention to the instruction of children that used to characterise the land. (Hear, hear.) Instead of parents and children uniting together on the Sabbath evening in reading the Word of God and engaging in catechetical exercises, they found that, very generally, they went out to stroll in the fields, or wander by the sea-shore.' 2

Something, he believed, should be done by the Assembly, so that 'instead of lying down at night with as little reverence for the God that made them as was paid by the beasts of the field, the practice of family worship should be resumed'.[3] The Pastoral Address of 1860, together with suggestions about catechetical lectures on the Lord's Prayer, and the setting aside of a special Sunday for sermons on the subject, were to be the means adopted to this end.

The two-fold task given to the committee charged with preparing the address (which again included Begg, and also included Candlish - there were few Free Church pies in which this pair did not each have a finger) meant, however, that the subject could not be dealt with as fully as the Assembly wanted, for in the meantime the full frontal system of revival had reached

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1. Ibid., p.210. The speaker was a Mr. Brodie.
2. Ibid.
3. Ibid.

not only Ireland, but also Scotland, precipitating 'a measure, a large and unusual measure of the blessing from on high'.[1] Thus, the authors of the Pastoral stated,

> 'it is impossible for us to address you now upon any matter connected with the interests of Christ's Kingdom among us, in the same terms which might have been suitable a year or two ago'. 2

What they did say, however, was not so very different. In the first place the Committee was none too optimistic about the behaviour even of the Free Church's own people. 'How many in all our congregations as we cannot but fear,' it declared, 'are unconverted sinners, still at ease in sin';[3] and turning specifically to family religion it remarked that although the family was a divine institution which might be a blessing, and the nursery 'of a seed for the church on earth and for the church in heaven',[4] the blessing might become a curse if families became involved in 'a course of heedless, worldly living',[5] damaging to their eternal interests. 'What,' it therefore asked, 'is going on in your families?'[6]

This solemn enquiry was illustrated by Old and New Testament texts enjoining or exemplifying family godliness, and children and servants were also warned that they might be in danger of 'poisoning by your influence those who should be dearest to you'.[7] Chiefly, however, the Free Church addressed 'the heads of every house', advising them of their special influence, and warning them against carelessness and 'your own undisguised worldliness',[8] with its fatal and fearsome results.

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1. F.C. Acts: op.cit., p.289.
2. Ibid.
3. Ibid., p.290.
4. Ibid., p.290.
5. Ibid., p.292.
6. Ibid.
7. Ibid.
8. Ibid.

A specific form of carelessness against which the heads of Free Church families were warned was that of putting off 'the question of their (their families') spiritual interests to some vague future time'.[1] They should, instead, speak to them and pray with them right away, in the hope of an immediate family revival. Responsibility in this sphere, they were again informed, was not to be left to the Sabbath Schools. It was to be accepted by parents, whose family worship was to be conducted regularly and not in a 'formal' fashion. It seems likely, however, that some Free Church heads of families found all this far from easy: for the authors of the Pastoral felt the need to assure them that if they happened to 'find or imagine' difficulties in family worship, then they should consult

> 'pastors and other Christian friends, and you will generally find these difficulties disappear, if you learn to regard it not only as a duty, but as a great privilege'. 2

The Pastoral then concluded, with an exhortation to keep the Sabbath,

> 'the principal, and with many families ... the only, day in which there is ample time and opportunity for every exercise of family religion',

and with a reminder that 'the heavenly rest is in a home'.[3]

4.3 1862.

The Free Church's Pastorals of 1858 and 1860 did not however exhaust the rich vein of their rhetoric. In 1862 they came back to the subject of family religion with renewed vigour, and determined to leave no doubt in their people's minds about it, they delivered themselves of no less than three Pastorals, addressing Parents, Children and Masters and Servants in turn.

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1. Ibid., p.293.
2. Ibid.
3. Ibid., p.294.

Substantially these Pastorals said much the same as their predecessors, but some of the excitement of the revivals had died down, and in these more detailed attempts to get their teaching about the family across, the Free Church was rather more concerned with practical matters.[1]

4.3.1 Parents and Heads of Families.

The Address to 'Parents and Heads of Families' was in two parts, the first dealing with Parents' responsibilities, the second with their duties. It proceeded from the assumption that the long-term benefits of the revivals would depend upon the 'sound and healthy condition'[2] of family life. In style it was rather less hectoring than its predecessors, and it made a few, although only a few, concessions to human frailty.

The first part of the Pastoral, dealing with parental responsibilities, included a theological statement of the Church's view of the family. Predating by a decade the controversies which would attack its anthropological presuppositions, the Address began by pointing out that while civil governments

> 'although Divine in a more ultimate and general manner, are yet more immediately "ordinances of man" (1 Pet.ii 13), and thus are liable to endless diversities of form in different countries and periods, the institution of the family is so immediately Divine, as to have been from the beginning, destined no less to be to the end, absolutely <u>one</u> - a government unchanged and unchangeable, in all countries and ages of the world'.[3]

The form of this government, despite revolutions and republics abroad was monarchical. In each household

> 'there is a kingdom with the kingly power vested

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1. The 1862 Pastorals were drafted by Mr. Charles Brown (presumably the Edinburgh minister C.J. Brown) and revised by the Religion and Morals Committee, on which Begg and Blaikie still served.
2. <u>Ibid</u>., p.489.
3. <u>Ibid</u>.

> in the head of the family, of a singularly absolute character and yet very safe and salutary in its absoluteness, by reason partly of the narrowness of the sphere it extends over, and partly of the love which dwells in the parental heart'. 1

And just as the family was a kingdom, as well as a nursery for the United Kingdom, and a preparation for the heavenly kingdom, so it also was, or at least might be, 'a kind of church'.[2] In the family the ecclesiastical functions of ministry, discipline and government might be performed 'within the circle of his own household' by the parent who was 'at once a king and a priest'.[3]

This reference to the priestly function of the parent led the Pastoral naturally on to the first of the parental duties, which was that of prayer for and with children. For this purpose the parent should 'take them aside individually'.[4] Children also, however, should be present at family prayers, which should be held 'morning and evening with all possible regularity'.[5] Recognising that the conditions of nineteenth century life and labour did not always allow for this, the authors of the Pastoral added the qualification, 'according to your circumstances in providence'.[6] They also qualified their injunction by advising parents

> 'to avoid fatiguing the young with too long prayers in the family, and to aim at rendering the whole

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1. Ibid.
2. Ibid.
3. Ibid., p.490. In support of their view of the 'vital and central' place of the family the authors listed 'a somewhat carefully formed selection' (ibid.) of Scriptural passages mentioning the family, 'to which we affectionately invite your attention at leisure' (there were nearly fifty passages listed) (ibid). These and what had been written in the Pastoral so far should not only convince their readers of their parental responsibilities, but indeed 'might well overwhelm you with anxiety and fear, but for the Divine promises scattered up and down these same passages'. (Ibid.)
4. Ibid., p.491.
5. Ibid.
6. Ibid.

> exercise lively, interesting, palpably real and true'. 1

This concern to make religion real to children was also shown in the Pastoral's teaching on religious instruction. Parents, especially mothers, were to instruct their children, along lines laid down by the Old Testament, 'constantly',[2] so that what was taught would be 'interwoven gradually with all that is most sweet, sacred, endearing, enduring, in the associations of home'.[3] This end would be achieved if

> 'over and above all the parent's more formal and stated teaching of his child (in the quiet and hallowed hours of the Sabbath evening, for example), his instructions are to be largely occasional, incidental, habitual and as to the manner and spirit of them, frank, conversational, easy, affectionate'. 4

If this seemed difficult, the authors of the Pastoral met the difficulty by saying, ominously, that if their hearers were themselves 'strangers still to the fear and love of the Lord',[5] then they could not in any case hope to teach their children. However, if this was not the case, they should not be afraid to speak from the heart, provided they did it little by little. Nor should they be afraid to make use of aids in teaching, 'principally the Scriptures, with their charming histories, for example, of Samuel, and Joseph, and Moses, and Daniel and so many others'.[6] As for 'the more doctrinal portions of the Word, it were no small thing if your children only learned to commit considerable parts of these to memory'.[7] Further aids were provided by 'our incomparable catechisms, shorter and larger', as well as 'our psalms, hymns and spiritual songs'.

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1. Ibid.
2. Ibid., p.491. The main O.T. reference was Deuteronomy xi, 18-21.
3. Ibid.
4. Ibid., p.492.
5. Ibid.
6. Ibid.
7. Ibid.

Aid of a different kind was provided by Sabbath-schools. But these (as the earlier Pastorals had noted) had their dangers. Thus, the authors wrote,

> 'there is no reason, of course, why you should not supplement your own instructions by those of the Sabbath-school teacher, provided you do not seek, by devolving the care and responsibility on another, to shake yourselves free of it'. 1

But even if this danger was avoided, Parental Instruction would seem 'a mockery and a lie together',[2] unless it was complemented by the performance of a third duty - that of Parental Example. Parents should give a good example to their children by being always honest with them, not deceiving them even 'in sport',[3] and by not 'promising what they do not intend to perform, or threatening what they do not mean to execute'.[4] Nor should parents sprinkle their conversation with exclamations such as 'God bless me, or God keep me' on every 'trifling occasion of surprise'.[5]

Naturally enough parental example also included, from the Free Church point of view, 'loving regard for Divine ordinances and institutions'[6] - especially the Sabbath. Parents should

> 'take care lest your own drowsy, irksome Sabbaths should seem to say in your children's hearing, What a weariness it is.' 7

Instead they should enjoy the Sabbath and churchgoing, training their children to attend church with them; and although

> 'it might not be so easy to shew an example in prayer, secret prayer at least. Yet much might be done even as to this ... by the spirit of your prayers in the family'. 8

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1. Ibid.
2. Ibid.
3. Ibid., p.493.
4. Ibid.
5. Ibid.
6. Ibid.
7. Ibid.
8. Ibid.

What the Pastoral's authors wanted was a spirit of consistency among their hearers, which would be convincing to their children:

> 'For how quick of observation our children are! How ruinous, if a parent shall be found at a prayer meeting one day, and, the next, immersed in the world's most characteristic gaieties and follies'. 1

Children therefore should never 'have to witness a rude, noisy, quarrelsome temper in the intercourse of parents together',[2] and certainly not drunkenness: the sobriety of parents should be 'so perfect and palpable as to tell of a horror of it, proportioned in some measure to its fearful and murderous character'.[3]

The fourth duty enjoined in the Pastoral was that of Parental Government. Here again what was said was based on the concept of the parent as a loving, but absolute, ruler. The child owed obedience 'not so much because he approves the grounds and reasons of your will, as simply because it is your will'. But since the parent could 'lawfully enjoin only that which is just and reasonable' he should also often explain his will to the child. Thus, wrote the Pastoral's authors hopefully, 'shall their obedience be the more genial, as well as your authority more loving'.[4]

The possibility of this harmonious relationship breaking down raised the farther question of 'that important branch of parental government - discipline, or the infliction of chastisement'; and parents were warned of three ways in which they might harm their children by misusing it: 'by the inflicting of punishment too frequently; or with too much severity; or in passion'.[5] Children should not be punished too often or for minor faults, but only for

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1. Ibid.
2. Ibid.
3. Ibid.
4. Ibid., p.494.
5. Ibid.

serious ones, such as 'deliberate falsehoods, wilful and persistent disobedience, abstraction of property, wilful injury done to the children of another household, &c.'; and the parent should even then punish 'only because you must and never because you will'.[1] This advice was based on Pauline injunctions against paternal overstrictness,[2] and although these might seem to contradict Solomon's dictum, 'He that spareth the rod, hateth the child', the authors pointed out that this had to be understood in the light of the fact that from some parents a frown was as effective as a thrashing.

The difficulty of performing these duties, the authors wrote, should send parents back to prayer. Only those who yielded themselves to God's authority could exercise authority in the family. God's government was their 'grand model'.[3] In conclusion they were reminded of the infant baptism of their children as a sign of their responsibility to God for them.[4]

4.3.2 To the Children of Families under their Care.

Infant baptism provided the authors of the Pastorals with an opening gambit for their Address 'To the Children of Families under their Care'. Beginning in a somewhat avuncular tone by explaining what the Assembly was,[5] they asked their 'dear young friends' two questions concerning their baptism:

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1. Ibid.
2. Ibid. 'It is worthy to be noted that in both these passages' (Ephesians vi.4 and Colossians iii.21), the authors commented, 'Paul says "fathers" - probably because the fathers are more prone in this matter to err'. (Ibid.)
3. Ibid.
4. Ibid., p.495. The authors also expressed the hope that their readers would not now put the Pastoral aside, but read it again 'from time to time', to remind them of 'things too apt even when known, to be lost sight of and forgotten' (ibid.). Evidently these pastorals were designed to be read not simply from pulpits but also at home.
5. 'A meeting of several hundred Ministers and Elders gathered together from all parts of Scotland in the name of Jesus to consult about the advancing of his cause and kingdom in our beloved country and throughout the world', (ibid.).

Had they considered God's goodness to them 'that he did not suffer you to be many weeks in the world, without bidding your parents carry you to his House, and there, by a solemn covenant, devote and consecrate you to Him?'[1] and had they 'taken up their baptism and made it their own?'[2] If they had not done this, the children were warned that their baptism would be 'a terrible witness against them'.[3] Even to do nothing was in itself a rejection; it was, in fact, 'this terrible thing - leaving the salvation of God lying at your feet neglected and despised'.[4] God, however, was still waiting, the authors pointed out, and urged their young hearers, with scriptural quotations[5] and with a verse from a hymn, to take up God's invitation - like the biblical children, Samuel, Timothy, Josiah and Jabez.

Having dealt with first things first the Pastoral went on to give 'a few further advices or exhortations'. The children were told first of all to honour and obey their parents, even if they did 'not always see the reasons for their will' and to remember them in their old age. This piece of advice was illustrated by suitable biblical texts. The second: 'we exhort you to be very diligent in your schools - to make the very best of the education which your parents are able to give you',[6] was not. It illustrated again both the emphasis the authors placed upon the unquestioning obedience of children:

> 'Perhaps you may not see the full good which some of the lessons are to do to you. But you will find it out by and by'. 7

and also their emphasis on the benefits to be gained from education bought by parental financial sacrifice.

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1. Ibid.
2. Ibid., p.496.
3. Ibid.
4. Ibid.
5. Such as, 'Behold, I stand at the door and knock'. The hymn was 'Just as I am - and waiting not / To rid my soul of one dark blot'.
6. Ibid., p.497.
7. Ibid.

> 'Often have parents a hard enough struggle of it to keep their children at school. Do not repay their struggles with negligence and folly. Remember that if you are to be honoured, happy, useful in after life, it must be by diligence at school now'. 1

And to show that this was not simply a materialistic ideal, they added that they hoped that 'a goodly number of you may in due time ... be fitted and disposed to become ministers of the gospel of Christ'.[2]

The Pastoral's remaining exhortations concerned social relations and religious duties. Children were urged to be 'pleasant', 'kind', 'gentle', 'courteous', 'modest', 'cheerful' and 'seasonable' in their conversation with and behaviour towards other members of their families, and to 'cultivate the singing of our delightful psalms and hymns in your homes'[3] as a mark of harmonious family relations. They were also reminded of their influence over other children outside their own homes, for good or ill (if it were for ill they might be 'strengthening each other's hands in the service of sin and the devil'[4]); and of how during the revivals children had not only been brought to Jesus but had brought others. For this purpose 'little meetings for prayer have been formed among the young'.[5] The Assembly approved of these but (perhaps in order to prevent any proselytizing sectarian agency getting hold of its young) the Pastoral went on to remind the children that the Free

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1. Ibid.
2. Ibid. Thomas Guthrie, who as Moderator of the 1862 Assembly signed this Address, expressed concern about recruitment to the ministry in his Moderator's Address (F.C.G.A. P.& D., 1862, p.353.). He believed that ministers should have better pay and more incentives. (Before becoming a parish minister he had been a banker.) There was, he thought, too much dread of debt, or at least of genteel poverty, among ministers; and he claimed that 'the result of the inadequate livings of our ministers is, or, as sure as the tide will make Leith tomorrow, will be, unless the Christian people under God prevent it, that the rising talent, genius and energy of our country will go away to other professions, leaving the pulpit to weakness and fanaticism'.
3. Ibid.
4. Ibid.
5. Ibid.

Church was their mother and that they ought gratefully and affectionately to acknowledge this, by taking an interest in all her schemes at home and abroad, by reading her Records, and by learning about her history.[1]

In its final exhortation the Assembly expressed the hope that 'if God shall be pleased to spare you in his good providence, you shall make early application for admission to the table of Christ'.[2] This remark raises the question of what age the children addressed were supposed to be, since while they were regarded as 'able to understand what it is to come to Jesus as sinners lost',[3] and advised in the strongest terms to take up their baptism, admission to Communion, where they would 'at length solemnly and publicly take the vows of (their) baptism upon (them)',[4] was seen as lying in the future. Clearly, from what was said, they were regarded as of school age. Presumably, therefore, the authors of the Pastoral thought that they were addressing younger adolescents,[5] old enough for some sort of conversion (although this word is not used) experience, but not old enough to become communicants. The Free Church was still enough of a national church for its Assembly to lay great stress on the baptism of infants as in some sense an objective event. Its Assembly also, however, heavily emphasised the subjective aspect of coming to Jesus and drew a distinction between the real and the nominal Christians in its pews.

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1. In particular about her 'noble sons', Knox, Melville, Henderson, Chalmers and 'her martyrs ... her Patrick Hamiltons and George Wisharts and Argyles and John Browns and Margaret Wilsons'. The authors also hoped that the children's parents would 'try to explain to you how it comes that we, in these later days, have taken to ourselves the name of the Free Church of Scotland'. (Ibid., p.498.)
2. Ibid.
3. Ibid.
4. Ibid.
5. This was an age group for which, during the second half of the nineteenth century, the Free Church was to develop a great variety of competitions and examinations concerned with knowledge of Scripture and of the Church's history. The names of those who succeeded in these were listed at great length, down to the humblest certificate holder, in the Assembly Reports.

4.3.3 To Masters and Servants in the Families under their Care.

In the Address 'to Masters and Servants in the Families under their Care' the Free Assembly of 1862 returned to a theme already raised in the Pastoral of 1858. That address had instructed employers to take a greater interest in the spiritual and material well-being of their employees and particularly in that of their domestic servants, and it was this class also with which the Pastoral of 1862 was concerned.

The churches' interest in domestic servants was understandable: there were, after all, so many of them. In 1862 they amounted to 12 per cent. of the employed population of Scotland, a proportion exceeded, in terms of classes of employment, only by agricultural workers (over 20 per cent.) and those employed in manufacturing (35 per cent.).[1] Like the latter and unlike the former they represented at this time a growing sector of the work force,[2] and many of them were unmarried and lived in the homes of their employers. Members of the middle classes, such as the churchmen who wrote these Pastorals, thus had a much fuller opportunity of observing their daily lives, manners and morals than those of other members of the working classes. (Many of them no doubt considered themselves authorities on the subject of servants, whose behaviour formed a popular subject of conversation and complaint.[3]) The numbers and proximity of servants therefore must have predisposed the churches' representatives to be interested in them, just as the numbers of farm servants living in areas which were more thickly ministered than those in which the manufacturing population lived, predisposed the churches' representatives to be interested in that class.

The fact that most domestic servants were women, and that most of the

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1. G.F.A. Best: op.cit., p.79.
2. Ibid.
3. Ibid., p.104.

employed women in the country were domestic servants[1] raises the question of whether the churches had, by their own standards, any other grounds for being concerned about the behaviour - and especially the sexual behaviour - of domestic servants. Dr. Tait, the much-quoted authority[2] on prostitution in Edinburgh evidently thought that they had. Earlier in the century he had written that at a conservative estimate there were 300 servants in Edinburgh engaged in clandestine prostitution. These were, of course, 'the common class of servants'.[3] But prostitution among servants, Tait believed, was a 'very aggravated and unsuspected evil';[4] and there was 'good reason to suppose that some of those holding more respectable situations ... also frequent improper houses'.[5] At the beginning of the twentieth century Havelock Ellis came to much the same conclusion. As a result of his much more widely based researches, Ellis claimed that 'domestic service is the chief resevoir from which prostitutes are drawn'.[6]

These claims cannot be verified here. But while many questions remain unanswered about estimates of this kind they presumably have some factual basis and thus cannot be discounted. On the other hand, if most employed women were domestic servants, Ellis' comment is something of a tautology. Even if, as Ellis also observed,[7] a remarkable number of nineteenth century domestic servants either seduced or were seduced by members of the households in which they were employed, neither this nor prostitution during the period has been

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1. Ibid., p.102.
2. F. Henriques (Modern Sexuality, 1968, pp.92ff.) regards Tait's Magdalenism as 'one of the most accurate accounts of prostitution in nineteenth century Scotland'. But since it is one of the very few such Scottish accounts, and in view of Dr. Henriques' account of Scottish religion (vide ibid., p.107), it is difficult to know what weight to give to this statement.
3. W. Tait: Magdalenism, 1842, p.15.
4. Ibid., p.11.
5. Ibid., p.15.
6. H. Ellis: Studies in the Psychology of Sex, 1919, vol.vi, pp.264ff.
7. Ibid., p.291.

very reliably quantified, despite all that has been written about the subject. It would therefore be a mistake to lapse into compulsive Freudianism and find sex in every silence. For this reason the question of how far the churches might have had grounds for concern about the sexual behaviour of domestic servants as a class, as distinct from the sexual behaviour of a limited number of domestic servants is not one to which any certain answer can be given here. How far the churches were concerned about the sexual behaviour of domestic servants as a class is, however, another question, since the factors contributing to such concern included not only the actual behaviour of domestic servants, but also, and perhaps more important, the height to which the churches wished to 'raise the standard of public opinion' on such matters, as well as the height from which they believed such standards to have fallen.

It was not, however, simply sexual standards which some churchmen believed had fallen off. James Begg, persuading the Presbytery of Edinburgh to overture the Assembly for what became the Pastoral of 1858 remarked, in connection with master-servant relations, that the

> 'former state of things in Scotland, when there was a beautiful and most salutary connection between these two classes of society, had to a large extent been abolished, to the great injury both of these classes themselves and of the general community'. 1

This subject, as we have seen, was dealt with in that Pastoral, but there was another side to it, which the authors of the 1862 Pastoral alluded to by remarking that the legal and commercial aspect of the master-servant relationship was something

> 'in which we have reason even to glory, since with it the whole freedom of our servants is bound up, as in distinction from the slavery and serfdom of other times and other lands'. 2

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1. T. Smith: op.cit., vol.i, pp.245ff.
2. Acts of the General Assembly of the Free Church, 1858-1863, p.498.

Having noted this however they returned quickly to Begg's point, for beyond this aspect of the relationship lay its 'moral dimension', whose existence was 'proved' by the fact that servants 'form a part of our families, and stand in the closest and most influential relations to us and to our children'.[1] This dimension, too little regarded the authors feared, was to be the subject of the Address.

The authors of the Pastoral, while they clearly identified themselves with masters, were ready to give advice to both classes (although in the case of the servants, but not of the masters, they limited themselves to advising 'such at least as are connected with us in Church fellowship'[2]). The advice given was about moral 'duties', which were to some extent reciprocal. In the order in which these were listed: 1) masters were to be interested in the 'comfort, health and well-being generally'[3] of their servants, while (3) servants were to be interested in the 'well-being, comfort and good name'[4] of their masters' families; 2) Christian masters were to pray for their servants, while (4) Christian servants were to pray for their masters' families; 3) masters were to be interested in the religious instruction of their servants, while (6) servants were to accept that interest 'gratefully and cordially'[5]; 4) masters were to be kind and courteous to their servants, while (2) servants were to respond with ' a respectful, quiet and modest demeanour';[6] and 5) masters were to 'notice, encourage and commend service thoroughly and conscientiously done',[7] while (1) servants were 'to do the work of their particular place thoroughly, conscientiously and with all good fidelity'.[8]

The other duties described in the Pastoral were not so obviously reciprocal: (6) masters were 'to impose no needless restraints on the freedom'[9]

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1. Ibid.
2. Ibid., p.499.
3. Ibid.
4. Ibid., p.501.
5. Ibid., p.502.
6. Ibid., p.501.
7. Ibid., p.500.
8. Ibid.
9. Ibid.

of their servants, while (5) servants, especially females, were to guard themselves against sexual freedom; (7) servants were also to cultivate, 'by every possible means an unbroken peace among themselves';[1] and in addition to their duties they were reminded that faithful and obedient service would, according to Scripture, 'ADORN the doctrine of God in all things'.[2] In conclusion, and reintroducing the element of reciprocity, members of each class were advised to consider prayerfully the religious character of members of the other when making engagements for service.

The Pastoral's list of duties makes its authors' view of master-servant relations very clear; and the order in which the respective duties were listed probably reflects what they consciously or unconsciously considered to be the respective order of priorities for each class. The model for masters, mentioned at the outset, was the patriarch Abraham, with the supplementary model of the New Testament Centurion, caring for his servant, illustrating the point about the master's duty to be interested in his servant's well-being. But masters were also advised that they should not forget that they were in command, nor fail to deal with faults correctly. This, however, should not make them 'proud, distant (or) lordly',[3] nor should it make them fail to echo the words 'Well done, good and faithful servant' of one who was their Master also. Just in case these Scriptural references did not convince them, they were reminded that if more modern masters were like the Centurion, they would no doubt hear fewer of the 'many complaints of servants throwing up their places needlessly',[4] or of 'the ever-increasing shortness of their terms of service'.[5] They were cautioned farther and with, perhaps, even more pragmatic considerations in mind, by being told that masters who lost control before their servants,

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1. Ibid., p.502.
2. Ibid., p.503. (Titus: 2:10.)
3. Ibid., p.500.
4. Ibid., p.499.
5. Ibid.

and were angry or vituperative with them, 'defeat often their own ends' and 'expose themselves to secret disrespect'.[1]

In advising servants to be faithful and obedient the authors again had no shortage of Scriptural quotations to fall back upon. But in remarking that some servants 'in the saving of their own time' were unfaithful, because their time was in fact 'the property of their masters',[2] they were saying something which was perhaps not entirely consistent with what they had said earlier about slavery. And when they came to discuss the question of servants' demeanour, not only was Scripture not mentioned, but consistency also appears to have been absent. The Free Church, as we have seen in previous chapters, seems to have been trying to persuade working people to accept middle-class standards: at the same time, however, these working people were being persuaded to do this without giving up some of the very things which characterised their non-middle-class status:

> 'We press on you the high importance, duty, wisdom of knowing and keeping your proper place. Is there not to be seen sometimes a foolish aspiring after the style, and dress, and manner of superiors? Of the sinfulness of this before the Lord there can be no doubt. But it is also very foolish and weak; and far from raising, lowers the servant much, exciting only regret and pity in all right thinking minds. The place of the servant has its true and proper dignity, quite as much as the master's. But it is a dignity inseparably bound up with that quiet modesty of demeanour which suits the place.' 3

The complexities of a servant's lot were farther illustrated by the advice given to them about taking an interest in their masters' families and advancing their good name. Servants were to avoid any 'forward officious meddling'; they should however 'identify' themselves with the family, and take

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1. Ibid.
2. Ibid., p.501.
3. Ibid.

advantage of the 'hundred quiet ways' in which they could advance its comfort and add to its good repute. If they took such an interest they might well find themselves prolonging their terms of service, since while bad masters were no doubt in part the cause of the 'needless ... throwing up' of places, ' a mere restless desire of change on (servants') part, of which we can give no good account'[1] was also 'frequently and largely' the cause of this.

In advising masters aginst imposing 'needless restraints' on their servants' freedom the authors of the Pstoral were especially concerned that servants should have sufficient free time 'compatible with the order and well-being of the family' to attend church on Sunday. At the same time, however, they emphatically disapproved of permission being given, as it was 'often ... even in pious families'[2] for servants to visit their friends on Sabbath evenings. Masters who allowed this were failing in their duty, and the practice was 'full of danger and mischief to servants themselves'.[3]

The anxiety shown here about Sunday evening visiting was of course an aspect of Evangelical Sabbatarianism. This was by no means only a Free Church or even a Scottish phenomenon. It did however run at a particularly high pitch during this decade not only in Free Church, but also in the Establishment.[4]

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1. Ibid.
2. Ibid., p.500.
3. Ibid.
4. Norman Macleod, one of the Church of Scotland's most outstanding ministers, came into conflict with it at this time when he attacked Sabbatarian views. Macleod believed that those who attacked working men for 'walking on the Sabbath' were 'less liberal than God' (D. MacLeod: Memoir of Norman Macleod, 1877, p.289), and endangered the Church's interests. He also perceived however that Sabbatarianism was not an isolated phenomenon, but part of a more comprehensive 'Judaizing' of Christianity; and he wrote that 'the awful conviction is deeply pressing itself upon me, that the gospel is not preached generally in Scotland; that so-called "Evangelicalism" is Judaism ... that it is not a gospel of glad-tidings but of lamentation and woe' (ibid., p.368). As Macleod saw clearly, the future of the Church in Scotland would depend, among other things, on whether or not it could get beyond the Mosaic '"Thou shalt" and shalt not"' (ibid., p.371) of those who regarded 'the finding of the Westminster Assembly as perfect and incapable of improvement' (ibid., p.372), 'to the gospel "Believe and live"' (ibid., p.371).

But Sabbatarianism did not entirely account for what was being said here about Sunday evening visiting. A hint that there was more to this can be found in some remarks made twenty years earlier by Dr. Tait. Discussing prostitution among servants he had observed:

> 'It is painful to reflect on the indubitable fact, that the hours of the Sabbath, which are set apart for divine service, are those generally selected for ... immoral appointments; and what renders the crime still more detestable is that it is not unfrequently cloaked by the semblance of religion; for, while they lay aside all reserve of modesty, and manifest the utmost comtempt for the sacred precepts which the Bible contains, it is carried openly in their hands.' 1

Tait's remedy for this state of affairs had been to suggest that employers should allow their servants free time 'during the week, and at such hours as they shall have no chance of going astray',[2] even if this meant that their mistresses had to suffer the inconvenience of re-arranging their domestic time-table. If servants objected to this, Tait wrote, it could be pointed out to them that they would not find suitable potential husbands by going 'in search of wooers on the evening of the Sabbath',[3] since

> 'no lad of sound moral and religious principles would so far neglect his duty as to waste that time in idle and frivolous conversation which ought to be set aside for more momentous obligations'. 4

Realising, however, that this in itself might not get round the original problem of Bible-bearing wooers Tait proposed in addition that all taverns, gardens and places of entertainment and leisure should be closed on Sundays. Further, since like so many others he believed that 'an improvement in the moral and religious character of the people'[5] was required, he called for 'an

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1. Tait: op.cit., p.14.
2. Ibid., p.282. 'Leisure in the evenings is decidedly objectionable, as it is attended with the same bad consequences as leisure on the Sabbath' (ibid.).
3. Ibid.
4. Ibid.
5. Ibid., p.291.

increase of the means for communicating religious instruction both to the young and to those in mature life',[1] and for a better example of Christian living by the upper and middle classes, who at present too frequently took 'the tone of their manners from the irreligious'. If, by contrast, they themselves set the tone and refused to have anything to do with men who took part in prostitution, they might thereby lead the female servant away from 'those forms of pride, vanity, sloth and irritability which lead her on to certain ruin'.[2]

By the time when the Pastoral was being written many of the Sunday closing measures desired by Tait had been effected, but his desire for an adequate ecclesiastical strategy had not been fulfilled, nor, if the Free Church's fulminations were anything to go on, had employers become any better at giving a good example. Since, as a recent authority on this period has put it, 'most generalisations about the quality of middle class family life crumble at the critic's touch',[3] it is difficult to know how realistic these Free Church fulminations were. But even if they were over-estimates of the extent of the evil, their representatives, like Tait, presumably had some reason to be concerned about sexual behaviour on Sunday evenings.

Unlike Tait, however, they did not say much about the sexual mores of the middle classes. But this did not prevent them from speaking to servants about theirs'. Indeed, they wrote:

> 'we feel as if we should be unfaithful to the female servants we address, did we fail of earnestly and affectionately putting them on their guard against all levity of spirit and demeanour, all undue freedoms with persons of the other sex, every thing which is not in full keeping with the purity and

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1. Ibid., p.292. He did not care whether this was done by a Voluntary or by an Established agency, by 'the old parochial system' or by 'town missionaries and tract distributors': what was clear, however, was that 'the means at present employed are vastly disproportioned to the exigencies of the community' (ibid.).
2. Ibid., p.293.
3. G.F.A. Best: op.cit., p.278.

gravity of Christian discipleship'. 1

In their concern with servants' Sunday evenings, as well as in their repeated warnings about servants' clothing,[2] the authors of the Pastoral echoed Tait. What they had to say about servants and family worship however suggested that times were changing. As an alternative to letting servants have their Sunday evening off the writers had remarked that it would be a good thing were family catechising to be 'resumed among us'. But to this they added the qualification: 'wherever it might be found practicable';[3] and this qualification was characteristic of the nervous vehemence which characerised Free Church pronouncements on family religion. That masters and servants should pray for one another was something about which the writers could be certain. (Servants were here directed to the example of Abraham's servant.[4]) And

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1. Acts of the General Assembly of the Free Church, 1858-1869, p.502.
2. The authors of the Pastoral cautioned servants 'against a style of dress unsuitable to your station, too gay and showy, which can add nothing to your real respectability, and which, arising out of an unbecoming state of mind, powerfully tends to feed and aggravate the evil from which it flows' (ibid., p.502). Tait had listed 'pride and love of dress' among the causes ('natural' as opposed to 'accidental') of prostitution, and had remarked, with effortless male superiority, that the 'desire to appear more gay than her companions is a prominent feeling in the breast of every female child' (Tait: op.cit., p.119). These views seem to have had the character of received opinion among some Scottish clergymen and doctors. James Miller, Professor of Surgery in Edinburgh University, and Convenor of the Free Church Committee on Temperance, in a pamphlet published in 1859, had pressed the need for a 'great and general reform ... as regards the arrangement and construction of female attire', a subject, in his opinion, to which the commercial crisis had drawn attention, 'the scandal having become great, through pecuniary extravagance' (quoted in W. Logan: The Great Social Evil, 1871, p.226). Miller, concerned lest the 'innate love of dress ... of young persons in the positions of servants and operatives ... continue to be fanned into a passion' (ibid., p.227), asked ladies to 'use the pruning-hook' for their sakes. Tripping over his metaphors, he advised them against such fashionable 'exposure of the person, in evening costume, as is otherwise inconsistent with the fine sense of true delicacy innate to the virtuous female' (ibid.). If ladies were to avoid such exposure, a source of danger would be removed, 'enhancing ... the gracefulness of the form, as well as conserving the characteristic modesty of the wearer' (ibid.).
3. Acts of the General Assembly of the Free Church, 1858-1869, p.500.
4. Genesis, ch.24. The use of this story again illustrates the nature of Free Church fundamentalism. The aged Hebrew servant, sent to find a wife for his master's son, was a figure very far removed from the average 19th century domestic servant. The latter, to make sense of this allusion, must have required considerable powers of 'spiritualising' the story with its strange and foreign incidents.

insofar as both classes were asked to pray for each other in their secret devotions they were advocating a course of action which, were it carried out, might just possibly have achieved the desired end of inducing mutual respect within the context of a shared religiosity and observance of the proprieties. But the problem was that this could not, of its very nature, be ensured or even observed. And when it came to observables, such as 'the master's duty to instruct his servants in religion',[1] the authors of the Pastoral faltered, remarking that they preferred to express themselves 'somewhat generally here' since this duty was 'less absolute'[2] than the parent's duty to instruct his children. What grounds they may have had for this statement were not given; and they backed it up with no Scriptural quotations. All they could find to say was that

> 'Many things are liable to come in to modify and limit (this) duty, or materially change its form and shape. Oftentimes, indeed, it will be the clear duty of the master to take part in the stated religious instruction of the servant. But in other cases it may be enough to see that the instruction is given somehow.' 3

The same failure of nerve was observable in the apologetic tone adopted by the authors when they addressed servants on the same subject:

> 'Even should the methods adopted by masters not seem to you the very best and wisest, it is your duty to honour the intentions from which they spring, to be thankful for them, and to fall in with them as far as your sense of duty will at all permit.' 4

Part of the problem here may well have been the predicament of Free Church servants cast up in Establishment, or worse, in Episcopalian households, where religious instruction, if it was given, might well not have been to their taste.

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1. Acts of the General Assembly of the Free Church, 1858-1869, p.499.
2. Ibid.
3. Ibid.
4. Ibid., p.502.

But perhaps the larger part may have been the resentment felt by servants who were being treated, in some religious households, as if they were children. The legal and commercial aspects of the master-servant relationship, which, as the authors of the Pastoral had pointed out, saved servants from being slaves, had implications which were still being worked out. Not least of these implications was the undermining of those social and economic conditions which allowed the head of a Victorian middle-class family to act as a patriarch, benevolent or otherwise.

5. Family Religion, Society and Theology.

5.1 Social Conditions.

This review of Pastorals on Family Religion leaves us very little the wiser about the state of family religion during this period. All of the churches seem to have held the opinion that while there had been a falling-off in the number of families practising family worship, many families still maintained it. Since the era of inquisitorial church courts had ended, however, there was no way of knowing how far these judgements reflected what was actually going on; and although some churchmen were keen to devise thermometers for taking the nation's sexual temperature, they were on the whole content to measure its piety by their own blushes. The embryonic centralised bureaucracy which, in the form of the Religion and Morals Committee, emerged in the Free Church at this time did, it is true, attempt to gather some information on the subject, but the estimates and/or guesses it presented in its 1865 report varied widely,[1] and although in the following year it was stated that family worship had become 'more general'[2] since the revivals, this impression was not based on any very observable foundations.

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1. F.C.G.A. P.& D., 1865, R.& M. Report, p.7.
2. F.C.G.A. P.& D., 1866, R.& M. Report, p.3.

It is difficult then to assess the situation. The difficulty of generalising about the home life of the Victorians has already been alluded to, but according to the writer already quoted on this subject, the high Victorian ideal of home life

> 'can have been a practical possibility only above the manual labouring line, and a reality only where the father and mother were morally and intellectually capable of fulfilling so exalted a role and willing moreover to spend time enough with the children to accomplish it. The demands of fashion, towards one end of society, could be as domestically disruptive as the exigencies of poverty at the other ... this moral and moralising ideal home was ... likeliest to occur, where vital religion fertilised the pursuit of respectability'. 1

If this judgement is correct, then it would seem likely that family religion as advocated by the churches was something which for the most part existed only among middle-class families. The Pastorals of the Free Church certainly support this view: the family life about which their authors wrote was undoubtedly that of the middle classes, and while they spent much time criticising 'the demands of fashion', they gave little advice on how to overcome 'the exigencies of poverty'.

Churchmen were not of course unaware that the poor had problems with prayer. James Begg's obsession with closets[2] was in its way an admission of the fact that it was difficult for many members of the working classes to pray at all - let alone engage in family prayer. And W.G. Blaikie devoted a section of his Better Days for Working People[3] to describing how bad housing degraded its inhabitants spiritually as well as materially. Good housing, he believed, could help to improve religious habits.

> 'Perhaps (he wrote) no slight degree of that religious character by which the English middle-

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1. G.F.A. Best: op.cit., p.278.
2. Vide p.70, above.
3. In the chapter: 'Houses versus Hovels': op.cit., pp.164ff.

> classes are distinguished, is the consequence of their peculiar isolation in distinct and separate houses, - thus acquiring almost of necessity, from frequent opportunities of solitude, those habits of reflexion which cannot be exercised to the entire exclusion of religious sentiments.' 1

But to a middle-of-the-road progressive liberal Evangelical like Blaikie, considerations of this kind could not be entertained in isolation from those of individual merit; and in advising working people on how to run their homes he contrasted some descriptions of drunken and careless parents[2] with the description of her childhood recorded in an essay by 'a Scottish labourer's daughter who had received scarcely any instruction but what she got from her mother'.[3] The implication of this contrast clearly was that despite poverty it was possible for members of the working classes to emulate this mother whose 'constant aim' was

> 'to make home a scene of comfort and enjoyment to her family; and so far did she carry this that she used to say that "it was disagreeable and improper to be bustling about while father was within, and when he was gone out the work must be done up".' 4

This 'excellent woman', who gave her children lessons four times a day, even at the wash-tub, and whose 'well ordered family' found the Sabbath, with its 'calm and holy exercises', a 'day of bright and peculiar enjoyment',[5] was held up by Blaikie as an example to the workers, as was the father of Alexander Somerville (the author of the Autobiography of a Working Man), who held family worship morning and evening.[6]

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1. Ibid., p.181.
2. Blaikie's credentials as a philanthropist who was fully awake to the extent of urban poverty and degradation were as good as those of most other middle-class observers of this scene (and perhaps better than many), as the description of his case-book in his autobiography shows. (Vide Recollections of a Busy Life, pp.318ff.)
3. Better Days for Working People, p.199.
4. Ibid.
5. Ibid., p.200.
6. Ibid., p.211.

The difficulty with what Blaikie was advocating, however, was illustrated by his examples. Somerville's father, although one of those men who were disinherited by the social upheavals of the late eighteenth century, came from a family which had known 'better days' in the past: he had his roots in an older, more spiritually stable world. He did live, and suffer, under industrial conditions, but a good deal of his life was spent on the country. The scenes described by his son had, moreover, taken place half a century before Blaikie made use of them.

Blaikie's other example was even more problematic, partly because his rhapsodic description of the ideal mother let some cats out of the bad. In that domestic scene, while mother taught the lessons to one child, and while another watched the baby and a third read a book, the fourth child was 'bringing water from a pure soft spring some distance from the house', while the fifth was 'gathering sticks and keeping the fire alive' and the eldest brother 'assisted father in the garden'.[1] Where was all this taking place? Not, certainly, in the Edinburgh slum inhabited by the parents Blaikie compared these with. Nor, for that matter, was 'the pure soft spring' the Clyde, or even the Water of Leith. And where had the mother herself acquired the education she imparted to her children? Wherever it was, it was a different world from the mid-nineteenth century city centre, different also from the one-roomed cottage, described earlier in the same book by Blaikie, where rain came in under the door and through the roof, falling in 'large drops' on the bed and the working surface in front of the window, making the young wife, who was by nature active, clean and tidy, give up her unequal struggle, and driving her husband to the 'watertight' public house.[2]

This criticism of Blaikie's morally improving tales is not made with the intention of suggesting that happy homes of the kind described by the labour-

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1. Ibid., p.200.
2. Ibid., pp.177ff. (a case cited from Edwin Chadwick).

er's daughter either did not exist, or that they were not commendable places. Where families did triumph over poverty and achieve some measure of comfort and order, their achievement was commendable, and their children were plainly more privileged than those of parents who had given up the attempt. But when Blaikie and others who wrote in a similar vein presented such models of perfection to the working classes they seemed to be suggesting that the achievement of such an ideal was a practical possibility for all of them. Only in the abstract was this true, if it was true at all. A young working man brought up to respect the value of thrift, sobriety and industry, accepting his lot and endowed with a moderate degree of ambition, could become, by being a good employee and by marrying wisely, a respectable member of the working class and even of the Free Church. But in practice his path was strewn with accidents which at any moment might frustrate his purpose and hurtle him into a spiral of discouraging and dispiriting circumstances. In such circumstances, to triumph over unemployment, disease, bad housing and the many other accidents of life, the individual required resources derived from deep roots in a stable spiritual environment. Such an environment was precisely what the chaos of industrial society deprived many people of, by subjecting them to material conditions under which the individual was given no assurance of his significance and no hint that he could hope for better things. Under these circumstances the missionary agencies of the churches offered assistance to a section of the working population. Some of them accepted it and approximated to the ideal. Other working people were lucky, avoided the worst accidents and also approximated in some sense to the ideal. But while there must have been many others again whose failure to give their children the benefit of a happy home was not, although they were members of the working classes, dictated by grinding poverty, the same cannot be said of their countless compatriots who drowned in what must have seemed like a sea of indifference.

Blaikie's approach to the problems of the poor then was inadequate, because although he took some social factors[1] into consideration, these were submerged in his individualistic handling of the subject. The individualism of nineteenth century Protestantism has of course often been criticised for ignoring many crucial social and economic factors, and much of the criticism is well-founded. At the same time, however, it must be admitted that an emphasis on social factors to the exclusion of an individualistic appeal may produce, under the conditions of poverty, a passivity as dispiriting, in its ideal of the self as a patient or a client, as anything produced by the more individualistic and competitive method of the nineteenth century. It is of course impossible to compare these alternatives in a way which does justice to either, since very much depends on the social, psychological and spiritual circumstances of those involved. No determinate answer can therefore be given here to the question of how far teaching like that of Blaikie helped working people to orient themselves, beyond saying that some were helped and some were not, that some children benefitted from happy homes created by religious parents, and that others, and their parents, never had a chance.

One thing which, for the present purpose, can be said, however, is that the churches had produced a version of christianity so well integrated with and relevant to the family life of the middle classes that, by the same token they virtually disinherited many members of the working classes of their right to the means of ordering their everyday experience and their religious exper-

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1. Blaikie recognised the influence of health as well as of housing. Better Days included a chapter (pp.137ff.) on 'Health without Drugs', in which the working classes were advised of the need for proper ventilation (and fresh air - 'Nature herself is a great ventilator, and if men would but take lessons from her, they would be great ventilators too' (ibid., p.146)), exercise, cleanliness (including the water-cure), and neither too much nor too little food, not to mention not too much drink. (This included not too much tea or coffee, as well as alcohol: Blaikie could not commend those females 'who take little exercise' and live 'chiefly upon bread and tea: Broken sleep and trembling limbs are likely to result' (ibid., p.160).)

ience in a way which would enable them to set their lives in a meaningful religious context. The churches did this by channeling the stream of christian orthodoxy between the banks of bourgeois respectability, a feat they were able to accomplish by reason of their capture of the means of production - in this case the ministers and leading laymen of the churches, who, since they were themselves members of the middle-classes, preached and taught a middle-class Christianity. An important feature of this situation, which enabled ministers to continue to do this, was the ongoing recruitment, from the pious part of the working classes, of candidates for the ministry who quickly assimilated the presuppositions of their bourgeois fellow-students and colleagues, and were able to legitimate their appeal to middle-class family religion as normative by memories of their own homes, just as their colleagues who had always been middle-class were able to legitimate their teaching by pointing to them as the products of such homes.[1] They were particularly well able to do this during the mid-Victorian period because the homes remembered and described were those of the early years of the century, when the pressures of industrial society were only beginning to make themselves felt. And even later there continued to be areas of Scotland (especially the Highlands[2]) where these pressures had not entirely torn up the spiritual roots of the people from the soil of an older culture. When ministers based Pastoral Letters of the Church about Family Religion on assumptions of this kind we have mentioned, then, they were able to gain approval because the composition of the Assemblies which ratified what they wrote was, from whatever origin,

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1. See Appendix, note 2.
2. There were of course other reasons why the crushed spirit of the Highlanders was ready, in the eighteenth century, for a new form of religion which would enable them to keep their self-respect by feeling morally and spiritually superior to their Southern neighbours. (There are some interesting comparisons - and differences - here with the nineteenth century experience of the American Indians.)

now solidly middle-class.[1]

In their teaching on family religion then, as in what they said about sexual morality, the churches saw the present through the spectacles of middle-class respectability, and compared it unfavourably with their own and the nation's past, which they saw through the spectacles of Evangelical romanticism. Thus, orderly and pious habits of family life, like the sexual habits of farm servants, were regarded as having sadly declined; but since a good deal of the evidence for such a decline was provided by comparison with a romanticised past, it is difficult to know whether or not they were right, even if means could be devised whereby such a decline could be measured. The best that can be said about this is that the upheavals of the late eighteenth and early nineteenth centuries had produced a society in which the majority of those families which were most likely to be orderly and pious were to be found among the middle classes; that these middle classes were more clearly differentiated in economic and social terms from the classes below them than their historical predecessors had been; and that the majority of those families who were least likely to be orderly and pious were to be found among the lower classes. In terms of family worship as such there may have been some overall decline during the eighteenth century, following the loosening of ecclesiastical control over

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1. Taking two years at random: in the General Assembly of the Free Church in 1867, the largest class, apart from ministers and those listed only by their place of residence, were merchants, followed by farmers, members of the various professions, notably lawyers and teachers, those employed in commerce and public administration and manufacturers. There was one earl and one labourer, two members of Parliament and two gardeners. Were the calico printer, seedsman, housepainter and plumber working men? Or, to take another example, were the two cabinetmakers and the carpenter, attending the 1871 Free Assembly employers or employed? There was no labourer that year, but there was a gardener and a cashier, a night watchman, a mason, a calico printer, a warehouseman and a carver and gilder. It is difficult to be sure if all of these designations implied working-class status, but the fact that the number of elders who might have been working men is so small, itself makes the point. (F.C.G.A. P.& D., 1867 & 1871, Roll of Members.)

society, and there may also have been some increase in it during the late eighteenth and early nineteenth centuries, following the Evangelical Revival, this increase taking place mostly among the middle classes. But even this has to be qualified by the consideration that during this period both the middle and working classes increased rapidly in numbers, so that it would have been possible to find evidence for decline and increase alike.

Whatever changes there may have been during the period under review in the pattern of family religion, the evidence of the Pastorals suggests that in one respect at least the churches themselves were beginning to encourage the growth offorms of ecclesiastical organisation, based on the differentiation of the ages and the sexes, which contributed to the real decline of family worship in the twentieth century. Family worship declined partly of course because the Victorian middle-class family, whose material circumstances and culture favoured it, itself declined. But, as the writers of Pastorals feared, it also declined because the churches themselves provided agencies for the religious instruction of children which allowed parents to believe that much of the responsibility for this was no longer theirs. Arguably, the provision of ecclesiastical agencies such as Sunday Schools (which had begun at the end of the eighteenth century and was to diversify much more after about 1870), by separating the home and common concerns of daily life from the special place where religious instruction was provided, gave religious instruction a greater ecclesiastical bias and a diminished reality potential. However strongly the churches might protest that religious instruction was the duty of parents, they effectively weakened the force of their argument by providing these agencies; and, as the number of non-ecclesiastical counter-attractions for parents and children alike grew, many people, finding less time at their disposal, would choose either Sunday School or family worship, and usually, if either, the former. Of course this shift from home to Sunday School did not affect what-

ever religious instruction was given to children in their earliest and most formative years, when the responsibility remained that of the parents, and especially that of the mother, as the Pastorals recognised. (Although this may have meant that what was vital in religion took on a more infantile and less mature form.) And the idea that such a shift took place must be qualified in the light of criticism, made by some contemporary sociologists, to the effect that theories about the loss by the twentieth century British family of traditional familial functions such as education, miss the point that many such functions were never very effectively performed by families other than those of the Victorian middle class.[1] But, given these qualifications, it can still be argued that the churches' provision of Sunday Schools, and later of Bible Classes, Young Men's Guilds and other such organisations represented in practice a farther intensification of the Church's hereditary antagonism to the claims of kinship. (This antagonism and the claims of a wider Christian family were of course rooted ultimately in the teaching of Jesus.[2]) In nineteenth century Presbyterianism an operation of this kind involved the creation of organisations whose very relevance to their situation made them rapidly obsolete when the situation changed. This meant that when they did become obsolete the older methods of family worship and catechising had already largely disappeared.

5.2 Theological Presuppositions.

A final point concerns the theological presuppositions of the Pastorals. In theory these were cohesive. The same model of absolute but loving authority

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1. Vide R. Fletcher: The Family and Marriage in Britain, 1966 edition, passim. The evidence on which Professor Fletcher bases what he writes about Religious Functions (ibid., pp.192ff.) does not however go farther back than the eighteenth century and is mainly concerned with England. It is, moreover, set in a highly polemical context which equates christian teaching with the more grandiose claims of Roman Catholicism (ibid., pp.22ff.)
2. E.G. Matthew 10:35-36; Luke 14:26.

could be attributed to God, emulated by statesmen and exercised in households. The family was a kingdom and could be a church, worshipping a God whose values were the same as its own, and thereby socialising each new generation into a pattern of behaviour and of attitudes whose self-evident nature was reinforced by its divine origin. In practice however things were not so cohesive. The idea of God as a Father-King was not of course questioned by churchmen, but few of the earthly applications of the model were now fitting as well as they once had done. Britain of course was still a monarchy - unlike an increasing number of foreign countries - but the Divine Right of Kings and absolute rulers - even on the Dundas level - had had their day. The middle and upper class rulers of the nation were experimenting with new forms of democracy and even the working classes were trying out their political wings. The world of work also provided fewer applications for the model, since although many employers were petty monarchs, the absolute nature of their rule was being undermined by the interference of complex economic factors on the one hand and of government on the other. Nor, since business was business, were many of them benevolent in their exercise of authority. The theological model of the benevolent patriarch, which relied for its plausibility, as all theological models must, upon the familiar nature of its parabolic 'earthly story' was thus being attacked on all sides.

Curiously enough this did not undermine the model as much as might be expected at first sight. This is perhaps partly explained by the suggestion, based on contemporary literary sources admittedly, that the Victorian home

> 'was both a shelter <u>from</u> the anxieties of modern life, a place of peace where the longings of the soul might be realised (if not in fact, in imagination), and a shelter <u>for</u> those moral and spiritual values which the commercial spirit and the critical spirit were threatening to destroy, and therefore a sacred place, a temple.' 1

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1. W.E. Houghton: <u>The Victorian Frame of Mind: 1830-1870</u>, 1957, p.343.

As such, the home could still be regarded as a place in which the old values of benevolent patriarchalism (and father) reigned supreme, in contrast to the chaos of the outside world. The orderly pious home thus provided a possibility for the perpetuation of those patriarchal values which were so inextricably intertwined with the Old Testament bias of Presbyterianism.

Blaikie, in Better Days, had claimed that the prospect of such an orderly and pious home gave the working man who had one 'a sense of joy and freedom that may support him through the weary hours of labour'.[1] And no doubt there were working men who enjoyed this experience. But since for so many working men the conditions of labour were brutal and brutalising, and since the increasing scale of industry separated them from their families at work, depersonalising them and depriving them of any sense of significance, it is unlikely that many of them, so unused to the exercise of loving authority at work, were

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1. W.G. Blaikie: op.cit., p.190.

encouraged to exercise it at home.[1] The exercise of such authority was more likely to appeal to those who were captains of industry than to those who were cogs in the machine.

But even in the middle-class home the patriarchal model was threatened, as we have seen, by Sabbath Schools without and servants within. The 'earthly story' on which one of the churches' prime theological models was based was here still familiar, but its familiarity depended upon a society whose future

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1. 'More wife-beating', wrote Robert Wallace in 1876, (Life and Last Leaves, pp.212ff.) 'is coming to take so regular a place as a news paragraph that it will require to be classified with other kindred items in the department of the sheet set aside for them. Probably the Manly Exercises column is its most natural receptacle.' Wallace (at this point Editor of The Scotsman) thought that wives were as much to blame as their husbands, but reserved his most caustic comments for the churches: 'Mr. Chadaband, the missionary, and Mrs. Stiggins, the Bible woman, who are employed to visit Mrs. Collier and friends at a low salary by the wealthy congregation of St. Shoddies, with the view of enabling them to state in their congregational report that they are doing their duty in turning sinners from the error of their ways, occasionally call upon Mrs. Collier, but it cannot be said that their operations are pre-eminently calculated to effect either a substantial or an immediate improvement. Their form of procedure usually is to pull out a volume whose history and authority are very much disputed between Professor Smith and the Rev. George Macaulay, and to read to her some extracts about the burden of Damascus, or about the four-and-twenty elders and the beast, thereafter reciting a prayer whose meaning, if it has any, is wholly beyond Mrs. Collier's comprehension ... It would have done much more good to have told Mrs. Collier that she was a wicked old sinner for being dirty and ragged and unprovided with a bit of ham or cheese. There is no saying how much verberation she might have saved herself and Collier had she only learnt in time how to keep a trim house, and provided that ... husband with a Saturday's supper, hot and full, flanked perhaps by a little beer, and crowned even with a modicum of whisky ...' (ibid., pp.214-215). Wallace returned to the subject two years later (ibid., pp.260ff.), this time rather more seriously, but still making the point that although the husbands' behaviour was inexcusable, fines or imprisonment did not help, and that some responsibility lay with working-class wives to humour rather than antagonise their drunken husbands. He criticised temperance reformers for not being practical enough, and churchmen for not explaining to people the effects of alcohol on the body. But then, he wrote, perhaps clergymen 'are not altogether to blame, as their system keeps them hard at work trying to reconcile their audiences to schemes of mediaeval metaphysics, of which the more intelligent among them seem to have great difficulty in persuading themselves' (ibid., p.264.).

was precarious. When that society crumbled and was replaced by a society with more democratic - or at least less patriarchal - political, commercial-industrial and familial models, the Protestant churches which had relied so heavily upon the rational and common-sense nature of their message would find themselves in trouble.

This, however, is to anticipate matters somewhat, since in the following chapters we must consider what the churches said about the social control of sexual behaviour and about family religion during the remainder of the nineteenth century.

CHAPTER SIX:

SEXUALITY AND PIETY: THE ESTABLISHMENT VIEW: 1870-1900.

1. Ecclesiastical Reorganisation and Routine.

Before 1870 Church pronouncements on sex, marriage and the family were made, as we have seen, on an occasional and ad hoc rather than a regular and systematic basis. Discussions of such subjects as temperance, housing and discipline, especially when stimulated by some mildly sensational extra-ecclesiastical event, provided a context for these pronouncements, as did the churches' Pastorals and a few special committees such as that on The Causes and Remedies of Social Evils (in the Free Church), and on The Increase of Immorality in Rural Districts (in the Church of Scotland). By 1872, however, when the latter made what appears to have been its last report,[1] the pattern was changing. The Religion and Morals Committee of the Free Church was now systematically sending out its queries and deputies to Synods and Presbyteries all over Scotland, and, despite the misgivings of many ministers, was collecting, and presenting annually to the Assembly, large amounts of information and opinion about the state of religion and morals in the Free Church and the nation. Various aspects of sex, marriage and the family were dealt with in these reports, sometimes simply in a sentence commenting on conditions in a single Presbytery, and sometimes in a section of the report dealing with a single subject at greater length.

We shall return to the Religion and Morals Committee in the next chapter. Our concern in this chapter is with a similar development in the Church of

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1. It was in fact the only report of this committee to be included in the relevant Assembly records. Earlier reports seem to have been verbal ones. The committee was continued until 1874, when it was discharged, at its own request (vide C. of S.G.A. Acts (1870-75), 1874, p.77).

Scotland. This was initiated during the 'seventies, when the Committee on Christian Life and Work was set up, at the instigation and under the convenorship of A.H. Charteris, the Professor of Biblical Criticism in Edinburgh University. Like the Religion and Morals Committee, that on Life and Work provoked some initial resentment, and for much the same reason. Bureaucratic and executive interference was disliked by many ministers and Sessions, who preferred to run their own affairs in their own way. Despite this, the Committee was in its own terms highly successful; and it made great changes in the life of the Church of Scotland by overhauling its schemes and creating such organisations as the Young Men's and Women's Guilds and the Order of Deaconesses. (The first of these was never as successful as the other two.) Under its aegis special missions to such classes as agricultural labourers and herring fishermen were also undertaken.[1] These developments introduced the spirit and methods of the missionary movement into areas of social life where they had not hitherto been employed. It was of course in some ways simply a sign of the increasing social differentiation of the age that these developments took place when they did. But the fact that they did take place represented a new concession to denominational ecclesiasticism by a church which had till now, rightly or wrongly, regarded itself as an aspect rather than a part of the nation. Now, as church organisations and missionary enterprises multiplied, catering for children, young men, women and the various categories of the working class population, only one section of society remained unorganised and unevangelised - that of the middle-aged, middle-class male. Committees of the churches might speak about the need for West End as well as East End missions,

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1. Perhaps this was why the Church of Scotland affected as its symbol at this time (vide volumes of Life & Work, 1879ff.) the plough and anchor - as opposed to the burning bush of Moses, the Exodus/Disruption, and the Free Church, or the pacific dove with an olive leaf in its mouth of Noah, his compact ark, and the United Presbyterians.

but in fact little was done about this. As a consequence the voice of the Church sounded very like the voice of that middle-aged, middle-class male. There was, of course, nothing very new in this, and other social institutions were not very different. But unlike many other social institutions the Church was making itself if anything more androcentric and patriarchal than before. Ultimately this would lead it to look for ways of justifying its stance when it came under feminist attack. In the meantime, many of those who were neither male, nor middle-class, nor middle-aged were to find it very difficult to identify with an institution which, at a time when others were beginning to become more flexible, was making itself, in essence if not in appearance, more rigidly the same.

But for the present purpose the significance of this committee lies in the fact that it and its successors provided a context in which the issues relating to sex, marriage and the family discussed in previous chapters could be kept under continuous review. (Perhaps this served as a way of allaying the anxieties of the middle-class, middle-aged male churchmen - or if it did not allay them, at least it allowed them to enjoy them.) From now on pronouncements on sexual behaviour and family life were a matter of routine, and during the last three decades of the nineteenth century few Assemblies passed without the church 'saying something about sex'.

2. The Licentious Life of the Workers: 1870-1890.

2.1 Uncleanness and Revolution.

Among other things in its first report, the Christian Life and Work Committee turned its attention to 'the sin of uncleanness'. It declared that its 'lamentable commonness among us, in ranks high and low' was 'a disgrace to our Christian civilization and a proof that very much of our religious

profession is false and hollow'.[1] This condemnation was supported by an attack on the 'false delicacy' which prevented the pulpit from dealing 'directly, pointedly and solemnly' with a subject discussed 'in every newspaper and periodical' and 'in law reports and petitions regarding acts of Parliament'.[2]

The committee, however, despite its attacks on ministerial delicacy, did not spell out in detail exactly what it was concerned about or just what constituted 'the sin of uncleanness'. It was 'proved by the statistics of illegitimacy' that it prevailed 'chiefly in the North-East and South-West of Scotland', they wrote. But it was also and 'pre-eminently the sin of our cities and large towns',[3] In saying this therefore the committee appears to have thought of illegitimacy and prostitution (the petitions regarding acts of Parliament were presumably those against the Contagious Diseases Acts[4]) as much the same thing. But since in the years which followed this committee and indeed the Church of Scotland Assembly as a whole said very little about the latter, dangerously political, subject, its condemnation of false delicacy looks rather like the pot calling the kettle black.

The committee was not, however, insensitive to all of the problems of that society which its members, like so many of their contemporaries, believed to be 'in a state of transition'; and in the following year it expressed its alarm at the 'estrangement of classes and the growth of an idea of service which contains no affection or sympathy'.[5] It was particularly concerned about the 'decay of the idea that servants are members of the family, or even of the household' and with the 'bad effects of the migratory habits of the labour-

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1. C.of S. G.A.R., 1870, p.419.
2. Ibid.
3. Ibid.
4. Vide Part Two, below.
5. C.of S. G.A.R., 1871, p.403.

ing classes',[1] particularly farm servants. The progression of the committee's thought was quite explicit: it was disturbing that the employer-employed relation 'in mining and manufacturing works ... is often regarded as a contract referring to nothing but work and wages',[2] more disturbing that similar views were to be found in rural districts, and most disturbing of all that they were to be found even in households. Thus these two classes, farm labourers and domestic servants, were once again singled out by the Church for special attention.

To be fair to the committee, it was also sufficiently sensitive to social problems not to heap all the blame for this on these two classes alone. Workmen were, it suggested, now more intelligent, more highly skilled, more conscious of their power, and better paid.[3] Where trouble arose the master was often to blame. Some millowners, for example, were bad employers, but among the worst were farmers. They 'generally' exhibited 'an utter indifference as to the moral character of their servants', regarding them 'as so many beasts of burden, or creatures of another race'.[4] Reports from all parts of the country testified to this, although it was thought that things had not deteriorated so badly in the outlying areas and in a few districts specially blessed with benevolent landowners.[5]

What really worried the committee, as it had worried James Begg, was the spectre of revolution. Class antagonisms were building up, it believed,

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1. Ibid. 'Even married servants, who have cottages to live in', it was reported, 'do not stay more than a year in one place. One minister of a rural parish says that 25 per cent. of his congregation leave for other parishes every Whitsunday' (ibid.).
2. Ibid.
3. The committee claimed that 'the comforts which the labourer can command are incomparably greater than they were at the beginning of this century, and much better than they were even a quarter of a century ago' (ibid., p.404).
4. Ibid.
5. Lord Kinnaird and his bothy schools were singled out for praise (ibid., p.406).

through lack of sympathy between employers and employed. These antagonisms were exacerbated by the efforts of those who, trying to help working men, treated them like children. Only such sympathy as the Christian Church could -if it would - command might

> 'avert from our country the fearful revolution which not a few of the wisest and most patriotic men are contemplating as not only possible, but as inevitable, unless a better spirit rule us, and that speedily'. 1

If this was not done, the committee asked, 'Can life or liberty be safe?'[2] But then, as if becoming aware that this was a somewhat low motive for creating that brotherhood of men which was in any case part of the Gospel, it added that good should be done 'unto the brethren for the brethren's sake'. It would, surely 'be poor work if men do it to secure their own selfish safety'.[3]

2.2 Domestics, Farm Servants and Licentiousness (1872 and 1878).

Such a nervous awareness of social change and its problems was, then, the context in which the Christian Life and Work Committee was to discuss sexual behaviour, and particularly that of domestic and farm servants. Its reports on Family Life, made in 1872, and on Licentiousness, made in 1878, both concentrated upon these two classes, the first of these quite explicitly delineating the problematic areas by its division into three parts, dealing with Family Worship, Domestic Servants and Farm Labourers respectively.

These two reports contained much more about farm servants than about

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1. Ibid., p.408. A footnote to this referred to a speech made by Lord Shaftesbury in 1870, referring to the rapidly multiplying 'masses' who, 'now a prey to every agitator, political and religious', would, unless 'brought within the fold of order, discipline and the Gospel, ... break out ... at no distant day, in a scene of violence and revolution, which will lay low all the honours of this country and its prosperity for many generations'(ibid.).
2. Ibid., p.409.
3. Ibid.

domestics however. The 1872 report admitted that the committee had not received as many returns about domestic servants as it would have liked; and that what it had received was not very consistent. Some ministers complained about the poor educational and religious state of domestics, but chiefly about 'their love of change, which has been increased by the plan of monthly engagements'.[1] The majority of ministers however believed that servants changed their employment much less 'than is commonly thought'.[2] The fact was, the committee stated, that the character and education of servants depended upon the social location of their employers. In wealthier parts of Edinburgh and Glasgow servants were 'a very superior portion of the community',[3] and were as religious as their masters and mistresses. In the poorer districts - although this was where servants were most likely to be 'treated as one of the family'[4] - many young girls, especially those who came up from the country, were ill-protected 'from the serious moral dangers around them'.[5] These dangers, the 1878 report observed in its list of causes of Licentiousness, were likely to be encountered especially when employers did not supervise their servants' behaviour; and here also a complaint was made about 'the frequent carelessness of heads of houses as to how and where their servants spend the "Sunday out"'.[6]

The problem of time-off arose not only in connection with domestic servants. A country minister replying to the committee's questions about farm labourers wrote:

> 'The servants claim the alternate Sabbath as theirs, to do what and go where they like. I think it should be refused to them as a holiday if they will not keep it as a Sabbath. I also think that the farmers should be urged to allow

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1. C.of S.G.A.R., 1872, p.436.
2. Ibid.
3. Ibid.
4. Ibid., p.437.
5. Ibid.
6. C.of S.G.A.R., 1878, p.539.

> their servants' underclothing to be washed on the farm; or if not, that they should grant the Saturday afternoon as a half-holiday, to allow the servants to visit their relatives and get a change of dress. A farmer lately told me that he made attendance at Church a condition at feeing time.' 1

This farmer was an exception. Most, according to the same minister, were not interested in their servants, and the few who 'were wont to expostulate with their servants on their godless and irregular lives'[2] were told by these servants that as long as they did their work their behaviour was no business of their employers. The behaviour of both classes thus plunged the committee into gloom. Reading ministers' replies to its queries was 'like hearing a succession of moans'[3] - caused not least by the fact that three-quarters of the farm-servant population were Church of Scotland adherents.

The ministers did not moan very much about the education of farm servants. This was not as good as improved teaching methods should have made it. But it was not totally bad, even if it was utilised to read newspapers rather than the Bible; and it was still much better than that of English farmworkers. What the ministers did complain of, 'most despairingly' was their 'religious condition'.[4] Most reported 'growing indifference to divine things'[5] and, specifically, unchastity. Unchastity, in striking contrast to intemperance (which had 'in general diminished within a generation') was now so serious that it 'almost forbids a pleasant thought in the Christian mind in regard to the rural districts of our country'.[6] As a 'painful' example of this, the

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1. C.of S.G.A.R., 1872, p.439: The committee considering Sabbath Observance, reported in the following year that 'the "going home" to their parents' houses with their clothes for washing is often only the name for a general visiting and even junketting, while churchgoing is entirely left out of consideration' (C.of S.G.A.R., 1873, p.427).
2. C. of S.G.A.R., 1872, p.439.
3. Ibid., p.437.
4. Ibid., p.438.
5. Ibid.
6. Ibid.

committee quoted a minister from a 'northern' (presumably north-eastern) parish who reported that three-quarters of the children he baptised were illegitimate. According to this minister,

> 'most parents have themselves had one or more illegitimate children (the father by a different woman, and the mother by a different man) before marriage, and receive their daughters home with their illegitimate children as a matter of course, and keep their children for them to allow them to return to service. In this parish at present there is one woman with four illegitimate children to four different men, another three to three different men, and more than one two to different fathers'. 1

Understandably then he found it difficult to convince these people that their behaviour was sinful.

The committee attributed the irreligion and unchastity of farm labourers to three causes: 1) the improved material circumstances of both farmers and servants, which produced 'a widening social gulf'[2] between them; 2) the frequency with which ploughmen changed their masters; and 3) the bothy system. The first of these was considered to be the cause of the second, since the 'migratory habit' was just as common 'where the cottage accommodation was excellent',[3] as where it was deficient. It had reached such a pitch, the committee claimed, that 'removals are more frequent (in the country parish) than in the towns'.[4] It was, consequently, 'very baffling' to the country minister. 'His work becomes like beating the air, which moves away when it is struck'.[5] And of course the migratory habit was intensified by bothy life. The inhabitants of bothies neglected church attendance and avoided visits by the minister. The 'kitchen-and-stable-loft system was just as bad as the

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1. Ibid.
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid. The simile was perhaps too apt.

bothy. Under both, 'the men are lowered in civilization by being cut off from family life and home comforts';[1] and this of course led to unchastity and other evils.

The remedies proposed were the usual mixed bag which previous committees had called for: a Land Act to provide more cottages,[2] parish libraries, meetings, evening classes, 'bothy schools' and supremely 'a real grappling with this sin, by sympathetic, tender, faithful teaching from the pulpit'.[3] One minister who advocated this believed that it would 'bring back the lost idea of possible purity in rural parishes',[4] especially if it came from young ministers. Too much preaching at present was 'over the heads of the people'.[5]

The 1872 report then contained little information about the subject which would have been news to those who had followed the controversy since 1858. Nor did the report of the Committee on the Increase of Immorality in Rural Districts, presented to the same Assembly, which mentioned similar remedies. It too praised Lord Kinnaird and urged farmers to be more careful both in choosing and in superintending their servants. It stressed that supervision was especially necessary on Sunday evenings - when 'a great proportion of the deflections from morality take place',[6] and on fast days, as well as on the long winter evenings, when servants should be provided with instruction or 'rational amusement',[7] and also when males and females worked together in the fields. But perpetual supervision was only part of the price of virtue. The

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1. Ibid., p.440.
2. Especially in Forfar, Perth and Aberdeen counties.
3. Ibid., p.441.
4. Ibid.
5. Ibid.
6. Ibid., p.499.
7. Ibid., p.500.

high proportion of illegitimate births[1] was in the last resort the result of the low tone of feeling. It was therefore

> 'the duty of the clergy to impresss upon their flocks, with as much delicacy as they can, the heinousness of the sin, and to disabuse the minds, especially of the female rustics, that a breach of chastity is not only a misfortune, but a great sin. 2

It would help, said the committee, if 'the rural population' were to read 'two short addresses to young women and to young men of the working classes by Dr. Strachan of Dollar'.[3]

But if these committees brought forward no new information on the subject of rural immorality the Life and Work Committee at least was beginning to set the problem in a different and perhaps more illuminating context by its awareness of the deep social and economic divisions which lay behind it. What light it had generated, however, was virtually extinguished by its report of 1878, which attempted to tackle the highly unmanageable subject of Licentiousness.

The difficulty of making much sense of so wide and undefined a subject was clearly demonstrated by the nature of the many returns received to the Committee's first question: 'To what extent is your parish or chapel district affected by this vice?'[4] Of the returns 200 could give no answer and a further 100 confined what they wrote to the subject of illegitimacy. The parishes whose returns were the 'most unfavourable'[5] were predictably, therefore, those in the

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1. The report repeated the opinion, questioned by the 1865 Royal Commission, that the explanation for the illegitimacy rate of Scotland being higher than that of England arose 'partly from the greater strictness with which the law as to registration of births is enforced in Scotland' (ibid., p.499, vide ch.4, 3.4, above). It also commented that the law of 'legitimation for subsequens matrimonium' might be partly to blame, although its benefits made repeal of it unwise.
2. Ibid.
3. Ibid., p.501. (The doctor's name was spelt in different ways. The Royal Commission of 1865 at one point (op.cit., p.xxix) even referred to him as 'the Right Rev. Dr. Strahan'.)
4. C.of S.G.A.R., 1878, p.537.
5. Ibid., p.538.

North-East and South-West - although the committee did extract a crumb of comfort from the knowledge that some parishes in these areas reported a decreasing amount. The committee did not, however, say whether it was illegitimacy or licentiousness in general which was decreasing. Nor did it make clear just what was being described, when it reported returns from 400 parishes where 'the condition of matters is very lamentable' or from 172 parishes where 'the vice exists only to a limited extent, and is decreasing'.[1] The only clear point to emerge, and again it was predictable, was that 27 of the 38 parishes reporting 'little or no licentiousness'[2] were in the Highlands. As far as the towns were concerned the committee was certain 'that licentiousness, in a form of which the Registrar-General's statistics can take no account, largely prevails'.[3] But it could not compare the towns with the country since 'a large proportion of town ministers express, or by silence imply, their inability to measure the extent of the evil'.[4] This last point provides confirmation of the opinion that at least one reason for the churches' obsession with rural sexual behaviour was their ignorance of the urban population.

In attempting to analyse the causes of and remedies for Licentiousness, the committee, which admittedly did not claim any 'exactness of logical method'[5] for its work, again tried to make some sense of the variety of opinions which had been offered to it on the subject. The causes, or rather, 'fostering

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1. Ibid., p.537. Further evidence of confusion about just what phenomena the committee was investigating is provided by the fact that some returns also dealt with 'the prevalence of foul speech' (ibid., p.538), which was described as a 'form of licentiousness'. Not everyone was sure that this was so however: some perceptive ministers remarked that 'the standard which educated people adopt in judging as to the coarseness of language used by the labouring classes is to a certain extent misleading; since the use of coarse expressions by them does not involve the same degree of coarseness of idea as in the case of persons of a higher social class' (ibid.).
2. Ibid.
3. Ibid., p.538.
4. Ibid.
5. Ibid.

circumstances' (since the 'vital cause' of licentiousness was 'deep in human nature itself'[1]) were: I 'ecclesiastical'; II 'individual'; III 'in the home'; IV 'in the agricultural economy'; V 'connected with magisterial and police regulations'; and VI 'in society'. The fourth of these comprised the standard and by now almost ritual complaints about sleeping arrangements, bothies, cottages, 'promiscuous' field labour and hiring fairs,with equally familiar remedies being suggested in a corresponding list. The much criticised migratory habits of farm servants were not however included under this head, but were described as fostering circumstances in the individual (II), along with 'ignorance, weakness of intellect, intemperance, vanity and love of dress'.[2]

The committee's returns must have indicated that farm servants enjoyed no monopoly of licentiousness - for although this class, like domestics, received the usual special attention, the committee's focus had in fact widened to include young people in general. This development would allow the committee and its successors to carry on pronouncing about sexual behaviour after they had given up discussing it in relation to these two classes. This point can be illustrated by the committee's reference, under head III, to 'bad upbringing, arising from the lack of family religion and the <u>decline</u> of parental authority'.[3], as well as to lack of supervision of servants. But if youth was now the focus it was still by implication working-class youth, since the remedies included advice to parents to get 'really good and not merely profitable situations for their children',[4] and to encourage 'visits at suitable hours, by respectable young men' with 'all the proper facilities for honourable courtship'.[5] That the committee was presumably primarily concerned with the working classes was

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1. <u>Ibid.</u>
2. <u>Ibid.</u>
3. <u>Ibid.</u>, p.539 (my underlining).
4. <u>Ibid.</u>
5. <u>Ibid.</u>

again shown in their formidable catalogue of 'fostering circumstances in society', which included not only the usual low tone about immorality but also 'coarse manners' leading to 'improper advances' to females, 'dancing-saloons, songs glossing over the evil of impurity' and 'ill-conducted holiday excursions'.[1] The list of remedies was even more formidable, ranging from raising the tone to the summary injunctions:

> 'Provide wholesome recreations. A taste for music and for reading should be created. Outdoor games in summer, concerts, flower-shows, debating-societies, readings, lectures, social gatherings, superintended by ministers and others interested in the people's welfare'. 2

Further additions to this list included 'total abstinence and temperance societies and Good Templar Lodges ... public houses without drink'[3] and 'young men's and young women's associations on a broad Christian basis'.[4] Presumably the principle behind this was that the young should be kept occupied with these 'rational and moral' activities. They would thus be too tired to get up to mischief, and employers could more easily follow the committee's final injunction: 'Let masters enforce early hours'.[5]

If all this failed, however, there was another social remedy. 'Encourage early marriage'[6] urged the committee, and here for once its members were not thinking solely of the workers, since among the fostering circumstances of licentiousness in society they had included 'deferred marriages among the upper classes occasioned by expensive modes of living'.[7]

In advising the upper classes to set a good example in this respect the

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1. Ibid., p.540.
2. Ibid., p.543.
3. These were a favourite idea of Charteris, the committee's convenor: in his training scheme for his New College students he had created one. (Vide A. Gordon: The Life of A.H. Charteris, 1912, p.165.) This was about 1872-3. The idea later became quite popular. (Ibid.)
4. C.of S.G.A.R., 1878, p.543.
5. Ibid.
6. Ibid.
7. Ibid., p.540.

committee were entering into what had for some time been a controversial subject.[1] What was 'the "proper" time to marry?' Was it when the man had enough money to support a wife and an annual addition to the family? But then, how much was 'enough'? And was not the postponement of marriage, pleasing enough to those Malthusians who believed that it kept down the population, in the interim one of the leading causes of prostitution? Where did true prudence lie? The problem was to become increasingly pressing as the cost of middle-class living rose, especially after about 1870.

The committee was, however, too busy to give this question any detailed examination at this point,[2] and passed on to other things. Licentiousness,

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1. Vide J.A. Banks: Prosperity and Parenthood, 1954, Ch.III.
2. Advice was not in short supply however. Blaikie, in Better Days for Working People, devoted a chapter to the subject 'Make the Most of your Money'. In this, young men of the working classes were advised to lay aside 3/- a week between the ages of 18 and 30, on the assumption that while during this time their incomes would be much the same as later, their expenditure would be less. The £100 saved thereby would, wisely invested in Savings' Banks, Friendly Societies, Annuities, Life Assurance, Co-operative Societies, or Building Societies, provide him with resources for the rest of his life. 'Practically', wrote Blaikie, 'the difference between having nothing and having a hundred pounds, is the difference between slavery and freedom' (op.cit., p.117). Similar advice was given in an article on 'The Finance of Young Men' by 'a country minister' in the first issue of Life and Work, the church magazine for which the committee was responsible. The country minister (Life and Work, January 1879, pp.13ff.) warned his readers of the dangers of early marriage without financial resources; and from what both he and Blaikie wrote, it looks as if the best time for marriage, in their opinion, was between 25 and 30, at least for men. James Miller, the Professor of Surgery, seems to have held a similar view. But his remarks on the subject (quoted in W. Logan: op.cit.,pp.230ff) point up the fact that the advice proffered by churchmen on this subject differed according to which class was being addressed; the upper classes were urged to avoid delay, despising fashion and luxury, while 'the operative class' was urged to avoid 'hasty premature unions'. The 'marriageable age' for operatives mentioned by Miller was 20 to 25. At about this age 'and when, by honest industry, they can secure a home for themselves and family - humble it may be, but sufficient for that maintenance of both body and mind to which their station entitles them - let them marry too, expecting, not in vain, like blessings with their betters'. In Miller's opinion then, while the 'best time' might be much the same for both classes, the rich were marrying too late and the poor too early.

after all, also included prostitution, and some reference to this had to be made. The committee therefore urged that measures should be taken by the police and magistrates to suppress brothels, which were too readily tolerated, and to remove temptation from the streets. The civil powers were also urged to do something - what was not specified - in the rural districts about 'the practice of giving outdoor aid to mothers of illegitimate children'.[1]

The church itself also had some responsibility in the matter, and among the fostering circumstances the returns had mentioned 'laxity of Church discipline' and 'sectarianism'.[2] Remedies for these were harder to find however, none being suggested for the latter, while for the former all the committee could find to say was that 'stricter and more faithful discipline'[3] was required. Its view, and presumably that of the returns, on the Church's task concentrated upon the need for 'plain speaking, both from the pulpit and in private'[4] by ministers to all concerned. The committee also emphasised the part to be played by religious education in home, school and Sunday School, where the young could be warned against sins as well as sin, and where young women in particular could receive from 'the ladies of the congregation ... many lessons and hints about the proprieties of life and their womanly duties'.[5] The committee quoted, apparently with approval, one minister's comment that 'I do not much believe in the modern theory of sanctifying people by amusing them'.[6] What the young needed were 'words of timely warning'.

Such warnings were obviously not going to be neglected by the Life and

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1. C.of S.G.A.R., 1878, p.540.
2. Ibid., p.538.
3. Ibid., p.541.
4. Ibid.
5. Ibid.
6. Ibid.

Work Committee, and in 1881 it came back to the attack with a report on Family Religion, one section of which dealt with Chastity. This report sounded some familiar notes. It urged ministers to teach, and parents and employers to watch over, purity. It spoke of the need for better housing, in which sleeping accommodation would not 'destroy modesty'[1] and of the need for 'open and honourable'[2] courtship facilities. The bothy and farm-kitchen systems were again condemned. Mothers should teach their daughters, fathers their sons, ladies young women, and elders young men, about the sin of licentiousness. Servants' leisure should be regulated; employers and ministers should be more in control of 'the amusements of the people'.[3] And, probably with the sort of thing Strahan had described in mind, the committee urged that discipline should be more strictly exercised, so as 'to bring home to the guilty a sense of sin'.[4] To this end ministers were advised to 'visit the offender privately'[5] before the more formal stage of the proceedings were reached. In another section of the report, dealing with the Sabbath, ministers were advised to hold their Sunday evening services in schools and farmhouses, in order to 'prevent unnecessary walking, and the gathering of gossiping groups, where conversation is frequently very unseemly'.[6]

2.3 Chastity and Discipline in the 'Eighties.

There, apart from a section of its 1885 report dealing in detail with farm servants, but making no new observations,[7] and a note that White Cross

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1. C.of S.G.A.R., 1881, p.478.
2. Ibid.
3. Ibid., p.479.
4. Ibid., p.478.
5. Ibid.
6. Ibid.
7. C.of S.G.A.R., 1885, C.L. & W. Report passim. This report came to the definite conclusion that ' it does not appear that bothies are more dangerous than farm kitchens' (Life and Work, (August) 1885, p.116), and placed much of the onus for the conditions which produced licentiousness and careless behaviour among farm servants on farmers.

sections were being added to branches of the Young Men's Guild,[1] the committee left things, at least for the time being[2]. As a prelude to later developments, however, some returns recorded in their 1887 report[3] mentioned, in addition to mixed Protestant-Roman Catholic marriages, the nature of Presbyterian Session discipline among the causes of lapsing. Some ministers believed that many mothers of illegitimate children wanted them baptised but were unwilling (unless they were well-to-do) to go before the Session. Many of them went to High Church Episcopal or Roman Catholic churches instead, and in the latter case 'a very large number of children thus grow up as Roman Catholics, for that Church never loses hold of the children its priests baptise'.[4] This, and the fact that the same mothers who would not go before a session, 'would go to a minister, confess and be penitent', pointed to the need for 'some change in our rules of discipline'.[5] Much the same point had been made in the 1885 report on farm servants, which had stated, on the basis of returns from Galloway and Aberdeenshire, that the majority of those, who were kept away from church 'because of their dread of the Church discipline under which they must come before they can be members of the Church', were farm servants or members of the 'crofter class' who were '"under scandal" because of being guilty of the sin of impurity'.[6] This suggests either that the attitudes to discipline described by Strahan were not common in the North-East and South-West, or that they had changed during the intervening twenty years.

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1. C.of S.G.A.R., 1886, p.436. (The White Cross League, a purity (sexual) movement, had been founded by Ellice Hopkins in 1883.) Vide also Life and Work (November) 1885, p.163, where Charteris reported on a meeting at Alford in Aberdeenshire, at which 'it was said that every lad employed on a farm in Alford was there, and many from other parishes'; and after which 300 waited to hear Charteris speak about the White Cross movement.
2. See Appendix, note 3.
3. C.of S.G.A.R., 1887, p.448.
4. C.of S.G.A.R., 1887, p.448.
5. Ibid.
6. Life and Work (August) 1885, p.116.

3, Family Worship: Social Class, Geography and Prayer Books: 1870-1890.

During the twenty years from 1870 to 1890 the Life and Work Committee did not say as much about family religion as about sexual behaviour. There was, however, a reference to it in its 1871 report in a discussion of 'the efforts made for Christian instruction or influence by employers of labour'.[1] Sandwiched among the complaints made in this report about the indifference of farmers to their servants were some remarks about remnants of 'the old forms of Scottish piety'[2] in some remote areas, where farmers conducted regular family worship with their servants (in one case twice daily) and catechised them on Sunday evenings. This last practice was however becoming very rare, and the forms of worship were changing, since many people 'who had lacked courage to begin family worship'[3] were now using the Assembly's 'Book of Family Prayers'. Where employers in the industrial areas took an interest in the religion of their employees it was usually on a less personal basis: a few of them provided salaries, housing and equipment for missionaries and ministers. But some helped by 'visiting and attempting to better the condition of the poorer portion of their workpeople and neighbours'.[4] The committee emphasised in particular the importance of 'providing means for the godly upbringing of the young',[5] and noted that this was in fact the form which the philanthropy of employers most commonly took.

In 1872 the committee undertook an enquiry into Family Worship, as part of its report on Family Life and found, according to its returns, that it was still 'general'[6] in the Highlands, the Northern Isles and in the more remote

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1. C.of S.G.A.R., 1871, p.402.
2. Ibid., p.405.
3. Ibid.
4. Ibid.
5. Ibid., p.407.
6. C.of S.G.A.R., 1872, p.435.

areas of the Lowlands. But even in these areas it was going out of fashion, although not as much as in most other Lowland and urban areas where it had been 'disused to a still greater extent, except among the more well-to-do families, who have of course more leisure'.[1] The contrast between working-class and middle- and upper-class families in this respect was emphasised in a number of returns, one for example claiming that while 'family worship 40 years ago was very general in families of the working class once a day ... now it is comparatively rare'.[2] This point however was disputed by the minister of a 'populous and busy' Lowland parish, who wrote that he had 'reason to believe that in a large proportion of households of the labouring class, family worship is observed';[3] and the committee suggested that more experienced ministers sometimes found that family worship was 'observed in more families than they had at first thought'.[4] It might also, they pointed out, be a matter of definition: 'In many cases often it is a habit for a chapter of the Bible to be read aloud, by parent or child, as an act of worship'.[5] And this, they felt, could serve as the basis of an appeal from the minister for more elaborate forms of worship.

The minister of the populous and busy parish had also observed 'a great improvement ... within the last 25 years'[6] in families who employed servants. Very few of these, he noted, failed to gather both their family and their servants for worship. But the committee, while commenting that 'domestic servants (where the family has such) seem to be always brought in to family worship',[7] remarked that this rarely or ever included out of door servants. It also observed that 'in the Lowlands some book (of prayers)[8] is a very general part

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1. Ibid., p.435.
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid.
6. Ibid.
7. Ibid.
8. See Appendix Note 4.

of the furniture of the house'.[1] In the Highlands however such books were rarely used: they were, it was said, 'abhorred', since 'it would be offering other prayers than their own, which would make their worship formal, lifeless and unacceptable'.[2]

Returning to the subject in 1873, the committee, in its section on Family Life, again enquired into the state of family worship, commenting that

> 'statistical information on the subject is of course not to be expected, but the returns received from ministers enable the committee to report with some confidence as to the impressions of those qualified to judge. In the upper and middle classes, family worship, with the aid of some book of prayers, may be said to be daily observed. The domestic servants and the children are gathered together for it. In the families of farmers it seems to be much less frequent than it used to be. In the families of labourers and mechanics, in both town and country, it seems to be far from usual ...' 3

The reason for this, the committee had been told, was 'a prejudice against read prayers'. Yet many copies of the Assembly's manual were in fact selling, especially in churches where ministers preached special sermons on the subject.

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1. C.of S.G.A.R., 1872, p.436.
2. C.of S.G.A.R., 1872, p.436. The 1873 report also mentioned problems relating to Highland prayer. In that report a Highland minister told how on coming to his parish forty years earlier he had found, after directly questioning the people, that family worship was 'in a rather unsatisfactory state' (C.of S.G.A.R., 1873, p.427). Now he was more reluctant about asking so directly and was not prepared to say how general the practice was at present. But, he ventured, 'in many of the houses I visit I find the Bible and a, not the Prayer Book on their tables'. He did not know however how much these were used. Probably family worship was 'not altogether neglected' among 'the more intelligent families'. But others had real difficulties. Many were 'in a sort of transition state - a passing over from Gaelic to English. The consequence is that the Highlander is not able to read with ease and edification prayers in English before his family, and prayers written in his own language or mother tongue he could not read at all - at least not many of the heads of families in this parish could do so' (ibid.). This evidence is interesting since it seems to go against much that has been said about Highland education. Unfortunately the report gives no clue to what part of the Highlands it referred to.
3. C.of S.G.A.R., 1873, pp.426ff.

Perhaps the answer lay in simplifying the language of the manual;[1] and the committee recommended revisions with this in mind.[2]

The only other reference to this subject during the seventies has already been mentioned,[3] in connection with the Licentiousness report of 1878, when the committee had commented on 'the lack of family religion and the decline of parental authority' as a fostering circumstance of the vice. The committee had found evidence of the latter in the fact that 'many parents' allowed their children to wander at late hours and that they seemed 'to think that the Sabbath-school and religious classes almost clear them of responsibility in regard to their children'[4] as far as family worship was concerned. A further discussion in the 1881 report dealt with family worship but added little to what had already been said. Standard criticisms and standard remedies of the kind already alluded to were brought up, together with recommendations on how families might be encouraged to read 'especially during the long nights of winter in country cottages'[5] and of how they might be encouraged to continue their education through evening classes or self-help, with the minister's assistance. The minister's role as an adviser of 'health and sanitary regulation'[6] either by direct teaching or by the promotion of schemes such as 'penny savings banks, cheap-clothing clubs, benefit societies, funeral societies, &c.,'[7] was also

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1. In this connection the committee argued (ibid., p.427) that 'the amazing spread of periodical literature, with its simple colloquial forms of expression, is so changing men's habits both of speech and thought, that it has become necessary to have prayers for common use composed in a very simple and direct style. The last ten years have made great changes in the language in which an earnest man naturally seeks to express his thoughts and desires when he prays'.
2. Other improvements suggested included the proposal that something like the Quaker practice of a Scripture reading followed by silent prayer might be helpful (ibid.). And why, asked the Highland minister mentioned above was there no prayer in the Assembly's manual for the Assembly itself? (ibid.)
3. Vide above, 2.2
4. C.of S.G.A.R., 1878, p.539.
5. C.of S.G.A.R., 1881, p.479.
6. Ibid.
7. Ibid., p.480.

stressed in this connection.

4. The Religious Condition of the People: 1891-1898.

The Church of Scotland's Commission on the Religious Condition of the People has been referred to above on a number of occasions. Under the convenorship of J. Marshall Lang,[1] it reported to the Assembly between 1891 and 1898. It had been set up primarily as a means of dealing with non-church-going, and its task was to visit Synods, Presbyteries and 'necessitous parishes and districts' in order to assess and make recommendations about 'measures for supplying the religious wants of the people'.[2] This task it performed conscientiously, and while its more routine recommendations concerned such things as the building of church halls and the provision of ministers' assistants, it went so far in one or two cases as to advise the Assembly to retire unproductive ministers. Its motto might well have been the dictum of Howie, the Free Church statistician: 'Ministers must be efficient as well as evangelical'.[3]

The Commission's observations were not however limited to the domestic economy of the Church of Scotland; and its reports were full of information and opinions about the social and moral as well as the religious condition of the people. Its final report, in 1896,[4] included an extensive survey of the social condition of the country, focussing upon the problems of poverty, class distinction, labour and housing and, in addition, considering the bearing of intemperance, impurity and betting and gambling upon the well-being of the people. It was especially concerned, among the social problems, about the detrimental effects of class distinctions within the Church, particularly in

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1. The father of Cosmo Lang, the Anglican Archbishop.
2. C.of S.G.A.R., 1891, p.979.
3. Howie: op.cit., p.xxxviii.
4. The reports of 1897 and 1898 were supplementary ones, dealing with Highland Synods which the Commission had not previously been able to visit.

relation to seat rents, believed by many to be a serious obstacle to working-class church attendance. Its other special concerns included the church's ministry to children, and more particularly to adolescents, many of whom, it believed, were being lost to the Church after leaving Sunday school.

In the present context however our main interest is in what the Commission had to say about sexual behaviour and its control, and about family religion. In what immediately follows we shall consider what it wrote about urban and rural aspects of the former.

4.1 Urban Sexual Behaviour.

The Commission began its visitation of the Synods with that of Glasgow and Ayr. This Synod comprised an area whose rapid growth in population and industrialisation presented the Church with enormous problems, not least in terms of the large numbers - variously estimated at a fifth, a fourth or even half of the population who were 'indifferent to Christian ordinances'. The reasons for this were 'too many and too subtle to be analysed';[1] and the commissioners found great difficulty in knowing how the Church should deal with industrial society in general and Glasgow ('the sphinx-problem of civilization in its most sphinx-like aspect'[2]) in particular. Its observations on the social morality of the people were accordingly pretty random, and although a certain amount was written about mixed marriages as a cause of non-church-going, the Commission was more concerned with the intemperance than with the sexual behaviour of the inhabitants of this part of Scotland. Its observations on these subjects confirm an impression that, during this period, the Church believed - to speak very generally - that while sexual immorality was the vice peculiar to the rural working classes, drink was the curse of their urban

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1. C.of S.G.A.R., 1891, p.1014.
2. C.of S.G.A.R., 1892, p.953.

contemporaries. (The two classes of domestic servants and Highlanders were, by and large, exceptions to this rule.)

The Commission did not however entirely ignore the great problem of urban prostitution, but like the Life and Work Committee and the Housing Committee of the Free Church it did not examine it in any depth. It received from the Superintendent of the Glasgow City Mission what it termed 'interesting glimpses - some of them painfully interesting - of certain conditions of city life'.[1] These included references to the large number of brothels in the centre of Glasgow, as well as to other houses which 'cannot be designated as brothels' but to which 'young women go ... in the evening for prostitution'.[2] It also noted the activities of an organisation which gave free breakfasts on Sundays to waifs and strays, including 'many girls of that class who are just between losing and winning', and commented that there was 'a sadder class still'.[3] It did not however provide any further information about these or about any other features of prostitution in Glasgow or the towns of the West of Scotland; and its observations on the Edinburgh scene were equally oriented to intemperance and away from sexual morality.[4] The Commission clearly was aware that prostitution existed on a large scale in the cities, and wrote that 'its victims are legion'.[5] Its intelligence was not good however: it was

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1. Ibid., p.957.
2. Ibid., p.958.
3. Ibid.
4. The only comment about sexual morality in Edinburgh was made by a working-class elder who remarked, apropos of the Commission's interest in church-going, that churchmen might be better employed if they were concerned about young men at 11 p.m. rather than at 11 a.m. He complained that his attempt to conduct a White-Cross movement in his congregation 'did not meet with the support which he desired' (C.of S.G.A.R., 1893, p.1094). The Commission had also received a letter (it was not said from whom) asking why the subject of 'personal purity' was dealt with by the Church of Scotland in so 'remiss a fashion'. Why had it no societies like the Church of England Purity Society? (ibid., p.1090).
5. C.of S.G.A.R., 1896, p.815. The President of the Sabbath-School Association informed the Commission, on its visit to Paisley (the town with 'the highest percentage of increase of population in the list of large towns of Scotland in the last decade') that sins of impurity were 'slaying their thousands and .... ravaging where they might least be expected' (C.of S.G.A.R., 1892, p.945).

not able 'to estimate the full extent of the social evil; it walks in the dark, and in the city its paths are not known'.[1]

This ignorance, as we have already seen, was a consequence of the enclosed congregationalism of the city churches - something which the Commission itself criticised,[2] and it is quite likely that a large number of the representatives of those congregations from whom it received its information were genuinely in the dark about the subject.[3] It had therefore to turn to missionary agencies for information. This in itself however does not entirely explain the Commission's reticence in dealing with the subject, since it could presumably have enquired farther had it wished to do so. That it did not enquire farther can of course be explained by saying that it was not part of its business to do so. And the explanation is satisfactory enough - until we discover the much greater extent to which the Commission, like other church committees before it, explored the parallel question of rural immorality.

4.2 Rural Sexual Behaviour.

4.2.1 The Ploughmen Answer Back.

In view of all that had been written by church committees since 1858, it was perhaps inevitable that the Commission was fascinated by the question of

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1. C.of S.G.A.R., 1896, p.815.
2. Vide Ch.2:1, above, and C.of S.G.A.R., 1892, p.994: Referring to Dundee, the Commission stated: 'The congregation, not the parish, is the terminus ad quem. If the parish is attended to at all, it is relegated to a missionary and a mission'.
3. It is very difficult to form an opinion about the relation of middle-class churchgoers to prostitution during the second half of the nineteenth century. It is tempting to see in the church's reticence a hint that some proportion of its members did visit brothels; and since prostitution flourished during this period, it seems inevitable that some did. (Tait's observations on the religious affiliation of prostitutes (Tait: op.cit., p.41) date from too early a period to be helpful.) But given the middle-class lapsing alleged by the Commission (vide Ch.2:3, above), it is also possible that most middle-class clients of prostitutes were not among the church-goers. The desire to debunk Victorian hypocrisy is as suspect a motive in trying to uncover what actually went on, as the Victorian's own desire to cover things up.

farm servants. Its earlier reports (1891 and 1892) in dealing with them, spoke in similar terms to those of the Life and Work Committee about the housing, migratory habits and hours of labour of farm servants in the West of Scotland, and of how these had a detrimental effect upon their churchgoing habits and character in general. But when, in 1892, its investigations took it to the Synod of Angus and Mearns - an area which, outside Dundee, had a considerable agricultural population - the Commission pushed some of its questions farther, and as a consequence found it harder to make general pronouncements on these subjects. Its informants, in addition to ministers, elders and farmers now included farm servants themselves, and in October 1892 it met the secretary of the Ploughmen's Union.[1] This meeting involved the Commission even more deeply in such difficult questions as those of hours, wages, accommodation, half-holidays and the provision of small-holdings for farm-servants; and since the Union's Secretary, Mr. Duncan, claimed to know every bothy in Forfarshire (in his fourteen years as a farm servant he had lived in a number of them) the Commission was forced to tread carefully. Although, six months later, it managed to arrange a meeting with about fifty ploughmen from the Coupar-Angus area,[2] whose diffident response to its questions took the edge off some of Mr.

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1. C.of S.G.A.R., 1893,pp.1068ff. Farm servants' organisation in the nineteenth century began as early as 1805, mostly as local unions. About 1866 a national Farm Servants' Protection Society brought some of these together. But this fell apart in the '70s. The Union referred to here was the Scottish Ploughmen's Federal Union, which was strong in Perthshire, had branches in Paisley and Ross-shire, and, from what the Commission found, also in Forfar. There was at roughly the same time another Union in Aberdeenshire with which this marged eventually in 1895. Both of these unions seem to have been founded in the '80s. The joint union which at one time had up to 60,000 members was dissolved in 1900. Farm servants were not fully organised again until the creation of the Scottish Farm Servants Union in 1913. For the fragmentary history of this vide T. Johnston: The History of the Working Classes in Scotland, 1920, pp.355ff, and W.H. Marwick: A Short History of Labour in Scotland, 1967, p.36, p.66 and p.80. According to the latter, the Scottish Ploughmen's Federal Union was 'mainly a benefit society, but sought a weekly half-holiday and abolition of long-term engagements' (ibid., p.66). These were ends which Mr. Duncan pressed on the Commission.
2. C.of S.G.A.R., 1893, pp.1075ff.

Duncan's more radical claims, the Commission thereafter was more cautious in what it wrote on the subject. After a lengthy discussion of farm servants with the Presbytery of Deer in October 1893, its members were at pains to point out

> 'that in giving so much prominence to this class of the community it is very far from their intention to insinuate that farm servants are worse in any respect than other classes. It is only because they are a very numerous and important class in that part of the country now under consideration that this has been deemed necessary, and for the further reason that they have to encounter difficulties and temptations peculiar to their lot in life which demand the special help and sympathy of the Church. The Church of Scotland has no more loyal sons than are to be found among the farm-servants ...' 1

This apologetic tone was adopted by the Commission partly, it seems, because so many of its informants (including ministers and elders) had told it that the real reason for the alienation of younger farm servants from the Church was not their housing accommodation or even their hours of labour, but the fact that so many ministers did not bother to visit or even to get to know them.[2] All the complaints made about the migratory habit as an obstacle to this were, it was suggested, something of a smokescreen, since although in Forfarshire at least the average length of a younger farm servant's engagement was six months, 'they frequently re-engage in the same place';[3] and even if they moved, they did not move very far. The commissioners' tone was apologetic also, it may be assumed, because as a result of their enquiries they were beginning to think of farm-servants less as some class of rural outcasts, and more in terms of the increasing number of members of this class whom they were meeting and who, because they could answer back, were not so easy to categorize.

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1. C.of S.G.A.R., 1894, p.728.
2. See Appendix, note 5.
3. C.of S.G.A.R., 1892, p.991.

A fear that they might also answer back by becoming even more alienated from the Church no doubt also played its part in making the Commission apologetic.

Up to the point when this statement was made the Commission had not however said much about rural sexual morality. It had, of course, hinted that all was not well, in its remarks about the half-yearly hiring markets: 'most people who have eyes to see, and who have any knowledge of country life,' it wrote, 'are aware of the degradation which follows in the rear of the feeing-fair'.[1] But of the 'many temptations to young men and women' which these events offered, it had preferred to concentrate upon intemperance, emphasising the point that farm-servants' heavy drinking on these occasions[2] was in marked contrast to their usual commendable temperance.[3] Part of the reason for their reticence, at this particular time, about the subject of sexual behaviour was that although illegitimacy, running at a rate of 9.5 per cent., was a 'dark

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1. Ibid.
2. Aiton had written (op.cit., pp.571ff.) in such detail about the heavy drinking and uninhibited sexual behaviour of farm servants on the evening after the hiring market, as to make the reader suspect either that he had himself been an active participant or that his criticism of ministers for prying could have been reciprocated by them. Logan mentioned the fairs as places (along with railway stations) where girls were trapped into prostitution, under the guise of being engaged as domestics (Logan: op. cit., p.115). But the Commission, visiting Brechin, were informed of what fairs had been like in the past, and told that 'some of the worst features of that previous time have disappeared' (C.of S.G.A.R., 1893, p.1052). (It was, according to one report, not the quantity but the quality of the whisky sold which was responsible: 'the stuff prepared for the feeing-fairs is so bad that it will not keep over the night' (C.of S. G.A.R., 1892, p.950); and in Aberdeenshire the problem was said to be that of immature rather than adulterated drink (C.of S.G.A.R., 1894, p.753).) The Commission was also told of 'a free registry for girls' in Glasgow, which had 'almost banished the deplorable evils which formerly resulted from the market' (C.of S.G.A.R., 1892, p.992).
3. How far this was because of the absence of public houses outside villages in rural areas was not questioned, but concern was expressed to the Commission about the vans being sent round rural Forfarshire by licensed grocers. 'The mission of the licensed grocer' may not have been the only danger to rural temperance: ministers in the Presbytery of Aberdeen were very anxious about the growth of bicycling among farm servants. (C.of S. G.A.R., 1893, p.1061; 1894, p.727.)

spot'[1] on the moral complexion of Forfarshire, this rate, worse indeed than that of any English county, was exceeded by those of eleven other counties in Scotland. Nor, at this time, could the Commission think of any remedy for illegitimacy, although it expressed the opinion that Session discipline did nothing to help matters and might even be harmful. It did however record some advice on the subject given to it by Mr. Duncan of the Ploughmen's Union. He, like Begg, blamed the bothies - places

> 'where the ploughman is ostracised from society. He is not allowed into his employer's house. It is, in nearly every case, instant dismissal for a man to be seen there. Hence you have what follows - night hawking, illegitimacy'. 2

Duncan also blamed illegitimacy on the place of the female farm servant in the rural economy.

> 'She (he said) has no chance of speaking for herself. She gives way to the first stout-tongued scoundrel that comes across her path if he makes fair promises'; 3

and he urged the Commission to persuade farmers' and ministers' wives 'and every lady that as any leisure in the country districts'[4] to visit and 'take an interest in ... these females' and in widows who worked on farms.

4.2.2 The North-East.

Apart from what was said about hiring markets and by Mr. Duncan then, the Commission did not pay much attention to the question of rural sexual behaviour until its investigations brought it to the Synod of Aberdeen. But once it reached the North-East the question could not be avoided. At the meeting with the Presbytery of Deer, mentioned above, the question of housing was raised, with its effects on morality and family life specifically in mind. Here evi-

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1. C.of S.G.A.R., 1892, p.981.
2. C.of S.G.A.R., 1893, p.1069.
3. Ibid., p.1071: women farm-servants, according to an elder from Kirriemuir (ibid., p.1065), often worked longer hours than men.
4. Ibid.

dence was provided to show that there were still parts of Aberdeenshire where there were too few houses for married farm servants. The result of this, it was claimed, was that their wives and children were forced to live in towns and villages where they were only occasionally visited by their men. 'This system', the Commission remarked, while stressing that it was not universal, 'obviously tends to break down family life and weaken parental authority'.[1] Perhaps it was also connected with whatever facts lay behind the opinion expressed at the same meeting that, while there was very little illegitimacy in small fishing villages, and while illegitimacy among farm servants was becoming less, it was most prevalent in the large villages.

Other Presbyteries supported what was said here about the fishing population. At a meeting with the Presbytery of Fordyce a paper was presented by Dr. Cramond of Cullen, 'an accurate observer and statistician'.[2] In this it was argued that 'were it not for the modifying influence of a large fishing population, the character of Banffshire as a whole would be far blacker than it is'.[3] As it was, things were bad enough; and Dr. Cramond illustrated this point in a way which would have delighted Dr. Begg had he lived to see it. (He had in fact died ten years earlier.) Cramond produced

> 'a scale in inches showing the comparative state of the three kingdoms. Ireland was represented by a line 1 2/3 inches long; England by one 5 inches long; Scotland by one 8 inches long; Banffshire by one 16 inches long'. 4

For this state of statistics, Dr. Cramond believed, 'the farm-servants, male and female, are alone responsible';[5] and he argued that the only possible remedy was that every farm should 'have upon it an amount of house accommodation for married servants, or servants inclined to marry, proportionate to the size of the farm'.[6] This too would have pleased Begg, although he would

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1. C.of S.G.A.R., 1894, p.726.
2. Ibid., p.734.
3. Ibid.
4. Ibid., p.735.
5. Ibid., p.734.
6. Ibid., p.735.

perhaps have been less happy that Cramond had to add that 'After the labours of the Churches for thirty years at least, they have not succeeded in effecting one iota of improvement'.[1]

A paper delivered to the same conference by W.S. Bruce, the minister of Banff[2] also analysed the problem, dismissing, as causes: 'the bothy system, for it hardly exists ... poverty or low wages, for none are better paid' and 'lack of education, for Banffshire has always been distinguished for the excellence of its parish schools'.[3] Mr. Bruce indicated his own list of causes, but the Commission in its report did not record what he said[4], preferring to list the causes which had been mentioned in a report made thirty years earlier to the Synod of Aberdeen. Since things had not improved during the intervening period this report, the Commission believed, was still valid. (One of its two authors however had been Marshall Lang, the Commission's chairman, at that time minister of Fyvie.) This report had enumerated five main causes of North-Eastern immorality: 1) qualitatively and quantitatively inadequate houses for farm servants; 2) 'the defectiveness of the early training of the young'; 3) the indifference of employers to the moral character of their servants and their failure to supervise their conduct; 4) the 'common practice' of employing males and females together in outdoor farm work; and 5) the low moral standards of the rural population, especially their sexual 'uncleanness'.[5] Above all, remarked the Commission, the creation of 'a healthy public opinion'

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1. Ibid.
2. The author of a variety of books including Social Aspects of Christian Morality (1905), the Croall Lectures for 1903-04, an early Scottish attempt to write social ethics in a systematic way.
3. C.of S.G.A.R., 1894, p.735.
4. Bruce's views were however recorded in Social Aspects of Christian Morality, which included chapters on 'The Family', 'Marriage' and 'Family Life and Relationships'. In the second of these Bruce wrote of marriage being endangered by 'the absence in rural districts of fit dwellings for labourers' (ibid, p.85 fn.), as well as by delayed marriage among the middle and upper classes, and 'the existence of an unwillingness to submit to the irksome restraints of married life' (ibid., p.88fn.).
5. C.of S.G.A.R., 1894, p.735.

was required. But, they confessed,

> 'how to bring it about is a problem which has hitherto baffled and perplexed even the most faithful and devoted men who have striven honestly to overcome a state of matters which is scandalous in the extreme'. 1

A similar despairing note was sounded by the Commission when in 1894 it visited the Synod of Moray, the lowland areas of which shared Aberdeen's reputation for illegitimacy. In its remarks about the Presbytery of Strathbogie, the Commission again cited the 16 per cent. illegitimacy rate of Banffshire, but on this occasion pointed out that while some of those responsible for it were farm servants, 'others belonged to other sections of the labouring class', and 'some to classes in easier circumstances'.[2] This additional factor made it even more difficult for the Commission to unravel the problem, confronted as it was by so many conflicting opinions about nearly all aspects of rural social and religious life. Some hopes were expressed that the house-building activities of a number of landowners, the decline in the number of female out-door farm servants[3], and the success of schemes for registers of female servants[4] (as opposed to the feeing fair) in some districts, would promote self-respect and reduce the amount of immorality. But no real evidence of this consequence was, so far, forthcoming.

4.2.3 The South-West.

The other notorious area, the South West, in ecclesiastical terms the Synods of Galloway and Dumfries, was also visited in 1894 and the Commission discussed illegitimacy with most of the Presbyteries in the area. In Galloway there was general agreement about what were not the causes of illegitimacy.

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1. Ibid., p.736.
2. C.of S.G.A.R., 1895, p.776.
3. Ibid., p.756.
4. Ibid., p.765.

Within the bounds of the Presbytery of Kirkcudbright the bothy system did not exist, housing was 'fair',[1] and there was 'nothing in the social conditions of the people to be adduced as an adequate explanation of this terrible evil'.[2] Similar comments were made by the Presbytery Clerk of Wigtown, who could attribute it ultimately only to the prevalent low tone of opinion, sinners being regarded at best with pity, but more usually with indifference. These two Presbyteries also agreed that immorality was not confined to farm servants, domestic servants or even to the working classes. For although the latter were the most culpable there were, in Wigtown, 'one or two cases in the better class',[3] and in Galloway, 'in families whose education and social position would lead to the expectation of better things'.[4] A number of the members of both Presbyteries believed that the sin was often hereditary, and an example was cited of a parish in which between 1880 and 1893 there were 488 births of which 42 were illegitimate, 28 or two-thirds of these being members of 9 families.[5] Difference of opinion within the Synod arose, however, over the question of whether matters were getting better or worse. In Kirkcudbright 'the general opinion was that there is an improvement',[6] and in Wigtown that 'the moral condition of the people as a whole has improved within the last twenty years'.[7] (The high illegitimacy rate was explained in terms of the hereditary theory, the parish just mentioned being cited as an example.) The Presbytery Clerk however disagreed, and producing the - by now almost canonical - Registrar General's Reports, pointed out that the illegitimacy rate within the

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1. Ibid., p.746. (Although there were no bothies, unmarried farm servants slept in 'a distinct room, in most places plastered and made comfortable' above the stables. As in the case of the 'chambers' of Aberdeenshire and the outhouses in Moray, the distinction between these and bothies may have been largely a matter of terminology.
2. Ibid.
3. Ibid., p.749.
4. Ibid., p.747.
5. Ibid., p.750 (The Parish of Monigaff.)
6. Ibid., p.747.
7. Ibid., p.749.

Presbytery's bounds in the six years preceding 1863 had been 14.7 per cent., compared with in the six years preceding 1876 and 1891, 15.8 per cent., and 16.9 per cent., respectively. In the ensuing gloom it was urged that the church, in order to remedy the situation, should 'take steps for the creation of new agencies, where the old ones have failed'.[1] In particular there should be 'a more frank and thorough recognition by the church of "the power of woman in social life," and a greater use made of that power by training and organising workers to grapple with this vice'.[2] This was not however an entirely new suggestion, although admittedly the untrained 'ladies' of a few decades earlier were here to be replaced.[3] The remedies proposed by the Presbytery of Kirkcudbright were even more well-worn, and as far as the Presbytery of Stranraer was concerned, its discussion of illegitimacy was so familiar to the Commission that nothing about it was recorded in the report, save its observation that 'a tendency' to employ mothers of illegitimate children on farms and in dairies 'indirectly encouraged immorality and illegitimacy'.[4]

The Synod of Dumfries was more sanguine in its analysis of immorality than its Western neighbour. A minister from the Presbytery of Annan complained that 'we do not get justice in this matter ... the immorality does not exist to the extent we are charged with'.[5] In recent years, he claimed, he had seen the growth of a much higher moral tone in the district, a claim similar to that which was to some extent substantiated in its own area by the Presbytery of Dumfries. It presented the Commission with statistics showing how the percentage of illegitimate births had fallen from 16.6 in 1882 to 12.7 in 1891.[6]

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1. Ibid., p.751.
2. Ibid.
3. The 'great influence' of 'ladies of leisure' running clubs and other activities, and thereby 'elevating the working girls' was, however commended in the Commission's comments on Dumfries (ibid., p.790).
4. Ibid., p.754.
5. Ibid., p.794.
6. Ibid., p.788.

Statistics, however, had power to craze as well as soothe the ministers of the South West; and one, in the Presbytery of Penpont - a Presbytery whose morals its Moderator claimed were generally improving - spoke of his own parish like a debtor compulsively counting up unpaid bills:

> 'I do not know if this parish is worse than the rest of Dumfries-shire, but the rate of illegitimacy has been very high: it has averaged 10 per cent. during the last forty years; during the ten years ending 1870 it was 9.3; during the ten years ending 1880 it was 6.5; during the ten years ending 1890 it rose to 10; for the last four years it went up to 12.5, being for those four years respectively 10.3, 18.9, 6.25 and 17.2. Things seem to be growing worse instead of better, and there is hardly any public opinion in the parish against the sin'. 1

Three further 'facts disclosed by statistics' - in this case the more widely based statistics of the Presbytery of Dumfries for 1882-91, were: first, that the percentage of illegitimate births was higher in 'purely rural parishes' (18.5 per cent.) than in 'parishes with town populations' (12.6 per cent.); second, that the percentage of illegitimate children baptised by parish ministers was higher in the rural parishes (51.3 per cent.) than in the town parishes (18.1 per cent.); and third, that the percentage of these (baptised) illegitimate children whose mothers were communicants was again higher in the rural parishes (23.9 per cent.) than in the town parishes (4.9 per cent.).[2] The Commission, commenting on these figures, took comfort from the fact 'that full membership of the Church appears to exert a restraining and elevating influence',[3] and suggested, in view of their supposition that many of the mothers of illegitimate children who were communicants fell before joining the Church,

> 'that it might be well to try and induce our

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1. Ibid., p.786.
2. Ibid., p.788.
3. Ibid., p.789.

> young women to become communicants at a rather earlier period than is common, and so fortify them, at the most critical period of their lives, to resist the temptation resulting from the low moral tone which prevails, by the grace which accompanies the faithful participation in the Sacrament, and the sense of comradeship with the pure and holy in the Church of Christ'. 1

The Commission also commented upon the small percentage of illegitimate children baptised by parish ministers. This was often due, it was told, to the unwillingness of mothers, especially in the towns, to become baptismal sponsors, since to do so they would first have to submit to Session discipline. As a result, the children were either baptised in churches which did not insist on discipline, or in what were probably the majority of cases, they were not baptised at all. Thus, it was said, 'they receive little Christian nurture, and accordingly grow up in carelessness, and perpetuate an evil which is so great a scandal to the Church and the country'.[2] The Commission believed that the church itself was partly to blame for this, because of the disciplinary system which ministers had to use. On its visit to Forfarshire it had already asked 'if the effect of the present modes of discipline is not in some ways hurtful';[3] and, as we shall see, this was a question to which it would later return.

4.2.4 The Lothians and Borders.

On its visit to Forfarshire, the Commission had been told by Mr. Duncan of the Ploughmen's Union that in the Lothians fathers and the whole of their families were employed to work together as farm servants, and that this arrangement prevented the social divisiveness and consequent immorality of the bothy

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1. Ibid.
2. Ibid.
3. C.of S.G.A.R., 1892, p.981.

system.[1] When the Commission itself visited that area (in 1892 and 1893) it found evidence to support this contention. Within the bounds of the Presbytery of Dunbar it was said that farm servants' cottages were generally good, some of them 'having four fireplaces each';[2] and that all the members of a family often found work on the same farm. Thus, even when the family moved within the area, it could be kept together. But given these improved conditions the number of farm servants who in fact chose to move was diminishing. This applied as much to the unmarried, who normally lived in the house of a married servant or a cottar (there were very few bothies[3]) as to the married servants or hinds. In the Commission's view it was therefore not surprising that the illegitimacy rate in Haddingtonshire (East Lothian) was only 5 per cent, less than half that of Aberdeenshire and Banffshire (both of which were currently at 13.2 per cent.).[4] Even church attendance was better in this area, reports of it the Commission received being 'among the most favourable hitherto'; and although things were not so propitious farther west- the Presbytery of Dalkeith blamed Sunday visiting[5] for irregular churchgoing - even here farm workers were 'sober' and 'well-conducted'.

The Commission's approval of the religious and moral behaviour of farm servants in the Lothians extended to that of most of their fellows in those other areas south of the Forth and Clyde which have not so far been mentioned. In the Presbyteries of Peebles and Biggar non-attendance at church was said not

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1. C.of S.G.A.R., 1893, p.1069.
2. C.of S.G.A.R., 1894, p.761.
3. The Presbytery of Haddington did however express some misgivings about many 'little parties of four or five ... girls brought from the Highlands to labour in the fields', who lived in bothies. It was suggested that 'some Gaelic-speaking lady might be obtained from Edinburgh to visit and converse with them' (ibid., p.769).
4. Ibid., pp.762ff. Even the hiring markets of Haddington were more respectable than those in other towns.
5. C.of S.G.A.R., 1893, p.1111. The fact that Sunday was their only holiday was blamed for the visiting. The Commission also heard criticism here of temporarily employed, occasional farm workers, who were 'frequently rough and coarse' (ibid.).

to be widespread, and what there was could not be attributed either to bad housing or to poverty. Family life, the Presbytery of Peebles reported, was 'particularly satisfactory',[1] since married farm servants were preferred by the farmers and there was employment for all. From the Synod of Merse and Teviotdale (visited in 1895) there were reports of the absence of bothies in Berwickshire, from the Presbytery of Earlston of the 'relaxing'[2] of the bondager system, and from the Presbytery of Duns of the small numbers of unmarried servants. Even where these last were to be found, they usually worked alongside other members of their own family; and where the bondager system still existed the bondager was also normally a member of the hind's family. Cases of female bondagers unrelated to the hind, being employed and invading 'the privacy of the home',[3] were rare. Where they were to be found they were 'a nuisance': but 'practically no immorality'[4] resulted from their presence. Indeed, in the Presbytery of Earlston, illegitimacy was not very prevalent: its 6½ to 7 per cent. rate, it was implied, was largely due to a few bad parishes. And the idea that immorality was not very prevalent was supported by reports of the rarity of cases of discipline (a doubtful method of arguing which, as we shall see, was more usually employed by the Free Church than by the Church of Scotland).

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1. C.of S.G.A.R., 1894, p.759. But in Biggar, as in Forfarshire, churchmen were worried about 'the daily perambulation of the country districts by (licensed) grocers' vans' (ibid., p.773). They were also concerned about the public house, five hotels and seven licensed grocers in Biggar - 'a very extraordinary number' for a town with a population of 1356, 'even though there was no licensed house in any of the other ten parishes of the Presbytery' (ibid.). But here, as elsewhere, rural temperance was praised, even if room remained for improvement. In order to achieve improvement in their area 'the minister with three other Earlston gentlemen, joined at pecuniary loss in buying up an inn' (C.of S.G.A.R., 1896, p.751). But Kelso Presbytery reported that in areas without public houses there was 'a certain amount of shebeening' (ibid., p.770).
2. C.of S.G.A.R., 1896, p.754.
3. Ibid.
4. Ibid.

The one aspect of the agricultural economy in this area which the Commission did find disturbing was the number of 'led' farms. These, of which the Presbyteries of Dalkeith,[1] Earlston,[2] Selkirk,[3] and Jedburgh[4] all complained, were either owned or tenanted by farmers who did not live on them, and the Presbyteries' criticism was that these farmers did not look after the welfare of their servants. The Presbyteries alleged that led farms, besides being a cause of rural depopulation and 'a fruitful source of discontent', were responsible for 'painful cases of immorality ... the circumstances of which might be traced to the system'.[5] Still, on balance, the general mood of Border Presbyteries was optimistic. An old minister in the Presbytery of Hawick remarked, that 'as regards impurity ... a great improvement had taken place in the rural parishes within his recollection'.[6] And, visiting the Presbytery of Chirnside, the Commission found it 'gratifying to be assured that, at least in several of the parishes, there had been in late years a decrease of immorality and an improvement in all that relates to moral tone'.[7]

4.2.5 Fife, Perth and Stirling.

North of the Forth, in the Synod of Fife[8] and in the Synod of Perth and Stirling[9] (visited by the Commission in 1894 and 1895 respectively) much less, indeed hardly anything, was heard about immorality. There were, of course, the usual complaints about migratory farm servants: the Presbytery of Cupar compared their's unfavourably with those of Berwickshire and Haddingtonshire,[10]

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1. C.of S.G.A.R., 1893, p.1111.
2. C.of S.G.A.R., 1896, p.754.
3. Ibid., p.766.
4. Ibid., p.772.
5. Ibid., p.766.
6. Ibid., p.776.
7. Ibid., p.763.
8. C.of S.G.A.R., 1894, pp.773ff.
9. C.of S.G.A.R., 1895, pp.799ff.
10. C.of S.G.A.R., 1894, p.786.

and in the Presbyteries of Dunblane,[1] Stirling and Auchterarder,[2] 'restlessness' among the younger servants was attributed in some degree to the fact that many of them came from nearby mining and manufacturing districts in search of temporary employment. But housing was said in general to be much improved, bothies were few and sanitary, and, in Fife, the Commission was warned against blaming the farm workers rather than their masters for their migratory habits.[3] Even where housing was not good, as in one parish in the Presbytery of Stirling, the Commission was told that 'the personal habits are, with very few exceptions, of a high character'.[4] It was pleased to hear this, especially 'in an age ... when so much stress is laid on "the circumstances", and so little comparatively on the power of the man or woman to rise above the most adverse circumstances'.[5] An aspect of the age it must have found less pleasing, however, but one which it was advised (by a minister from the Presbytery of St. Andrews) that it must accept, bore almost the opposite testimony. Speaking of life 'in times of transition' and of the 'many new social forces at work' including 'the vastly increased diffusion of literature of many sorts ... the altered relations between the working classes and their employers and the recent transference of nearly all political power into the hands of the former' (a singularly optimistic view of the democratic process), this minister commented upon

> 'the spirit of independence which is universal, and the consequent abolition of that authority which kirk-sessions and ministers used to possess, and which operated as a compulsory clause of the most stringent kind, both for church attendance and other things'. 6

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1. C.of S.G.A.R., 1895, p.819.
2. Ibid., p.823. Auchterarder, by contrast with some Border Presbyteries, had 337 married and 680 unmarried farm servants within its bounds. Of the total, 338 were Church members, and 200 unmarried servants were adherents (ibid., pp.822ff.).
3. C.of S.G.A.R., 1894, p.786.
4. C.of S.G.A.R., 1895, p.813.
5. Ibid.
6. C.of S.G.A.R., 1894, pp.784ff.

The minister, whose views the Commission believed to be 'well-founded', pointed, as a farther characteristic of the times,

> 'to that spirit of inquiry which is abroad, and which makes the age one of criticism more than of faith. Many things, with institutions and doctrines, handed down from past generations, and formerly accepted with blind acquiescence, are now on their trial, and what cannot render a satisfactory reason for its existence cannot hope to stand. Considering that there is such a searching and shaking of things going on all round, and united therewith the common feeling that to lose one thing is to lose all, I cannot help wondering that Churches and church-going are not suffering more than they do; and I incline to think that, in some quarters at any rate, non-church-going is not yet so common as it will be, and that the problem presented by it is not therefore fully before our view'. 1

4.2.6 The Highlands and Islands.

Those parts of Scotland which, it might have been expected, were least affected by these aspects of late nineteenth century culture, the Highlands and Islands, were visited by the Commission in 1891 and in 1896–1898. In the Highlands and Western Isles illegitimacy was said to be 'comparatively rare' by the Presbytery of Skye,[2] 'rare' by that of Lochcarron,[3] and 'extremely rare' by that of Tongue.[4] In some districts of Caithness, admittedly, it was reported, 'the standard of purity is not so high as in the neighbouring Presbyteries',[5] but farther south in the Easter Ross Presbytery of Tain, 'the moral life of the people' was 'said to be remarkably pure';[6] and in the nearby Presbytery of Chanonry, although illegitimacy, one minister remarked, was 'tending to increase', it prevailed to no great extent.[7] Other Presbyteries in the North

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1. Ibid., p.785.
2. C.of S.G.A.R., 1897, p.951.
3. Ibid., p.946. There had been no illegitimate births in the last seven years, and only seven in the last twenty.
4. Ibid., p.942. Farr, a typical parish, had illegitimacy rates for 1893: 0%; 1894: 0%; 1895: 5%; 1896: 0%. Given its population of 1081 even the 1895 figure (ie. 5% of births, not of the population) could not have been high.
5. C.of S.G.A.R., 1896, p.779.
6. Ibid., p.783.
7. C.of S.G.A.R., 1897, p.955.

and West reported in similar terms while making some similar exceptions. In Lewis, although the population was said to be on the whole 'singularly free from vices',[1] two ministers thought that illegitimacy was increasing within their parishes; in Islay it was said to be 'considerable';[2] and while in the Presbytery of Mull it was generally low, on the island of Coll it was 'considerable and on the increase'.[3] In the Northern Highlands these comments were made against the background of decreasing bitterness between the Free Church and the Church of Scotland, and - or so it was believed - decreasing intemperance, notwithstanding the large quantities of whisky still consumed in Skye and the large number of distilleries in Kintyre. Not much was said about secularisation in general in the Highlands - except in the Presbytery of Dunoon where, on a summer Sunday, the Kyles of Bute 'were more like a regatta than anything else, and the thing was growing'.[4]

The Northern Isles, in the Commission's view, shared many of the pleasing features of the Highlands. The inhabitants of Shetland were described as 'a hardy, industrious, sober, God-fearing, not over-wealthy race'[5] who, despite the fact that a considerable minority were Methodists, did not quarrel over ecclesiastical matters. The inhabitants of Orkney, where a substantial minority were U.P.s, shared the Commission's approval, although in their case there was an exception. The Presbytery of Cairston, which had conducted an 'exhaustive' study of the subject, reported on 'the prevalence of certain local customs connected with "courtship" which tend to immorality.[6] There was not however

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1. C.of S.G.A.R., 1898, p.877.
2. Ibid., p.887.
3. Ibid., p.893.
4. C.of S.G.A.R., 1896, p.790. What was perhaps worse, was that on Sundays, during their 'residence of two or three months at the coast ... well-known city elders and members of the Assembly 'worshipped either in the Episcopal church, or in no church at all (ibid.).
5. C.of S.G.A.R., 1894, p.719.
6. Ibid., p.716.

a high illegitimacy rate,[1] and thanks to the efforts of ministers and Sessions things were changing for the better.

4.2.7 Farm Servants, Purity and Discipline.

In its lengthy final report,[2] the Commission included sections both on farm servants and on impurity. Its remarks on farm servants reiterated the point made in connection with its visits to the Presbytery of Deer. Farm servants were not exceptional men: they were, 'for the most part, manly, self-reliant, industrious and sober'.[3] They were prominent in the Commission's reports, rather because they had 'of late ... bulked largely in the public view', because they formed 'one of the most important constituents of national prosperity', and because 'the desire to improve (their) condition proceeds on the assumption that (they are) worthy of such improvement'.[4] The Commission went on to note the improvements which had taken place, and the 'rising tide of feeling'[5] against bothies and in favour of larger cottages in which the unmarried servant could board with the married. It also noted some farther improvements which could be made in connection with holidays and hiring markets, as well as the desire, expressed by some, for farm-workers' crofts. And it mentioned the varying conditions of female farm workers. Finally, it wrote of the breakdown of 'the old ideal of the farm, with the kindly relations which existed between master and servant',[6] and criticised the led farm system. The breakdown was 'no doubt ... only a sign of the revolution in social life',[7]

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1. Perhaps the apparent ability of Orcadians to maintain the old courtship customs without producing a high illegitimacy rate had something to do with the size of the population and the limited opportunities for a false lover to escape, except by going to sea.
2. C.of S.G.A.R., 1896, pp.797ff.
3. Ibid., p.802.
4. Ibid.
5. Ibid., p.803.
6. Ibid., p.804.
7. Ibid., p.805.

the Committee commented, and warned its readers against blaming either the farmer or the farm worker exclusively for this new state of affairs.

Turning to impurity, the Commission reiterated a number of the comments made to it in the course of its visits. Of these it emphasised two points: the belief that 'the sin, though widely spread, is propagated largely from some families in which it has become almost hereditary';[1] and 'the laxity of tone as to sexual immorality in rural districts', especially of the North-East and the South-West. Improvement was impossible until 'a deeper reverence for the human person and a more potent fear of God pervade the younger people there'.[2] But how could the church achieve this? The Commission again suggested that churchwomen might do more to help, that Guilds or leagues concerned with the promotion of purity might be formed, and that young people might be persuaded to become communicants at an earlier age.

The question of immorality was also clearly related to discipline.

> 'The end of all discipline is to mark the condemnation of the sin, and in so doing to arouse or intensify the conscience as to the sin, and to evoke "the godly sorrow which worketh repentance not to be repented of." From the testimony borne, it is obvious that this end is not being adequately accomplished'. 3

The reason for this was that the more sensitive offenders had 'a natural repugnance' to appearing before the session with other offenders, while among the insensitive

> '"the standing of the session" is little regarded; the appearance and the rebuke are held to be "a clearing" of them'. 4

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1. One group whom the Commission may have had in mind were the tinkers or vagrants. Few of these, it wrote, were married, 'except in some way of their own' (C.of S.G.A.R., 1896, p.812). Their children were registered as illegitimate and grew up uneducated and ignorant of religion. What to do with them was a problem, but some means of civilizing them should be found.
2. C.of S.G.A.R., 1896, p.816.
3. Ibid., p.817.
4. Ibid.

Discipline, now 'practically narrowed to sins against one commandment' had become 'the remnant of a fact which was once powerful'.[1] The Commission thus considered that 'the concept and administration of ecclesiastical discipline by kirk-sessions needs revision',[2] and suggested that more emphasis should be placed on private interviews with the offender by the minister and perhaps a couple of elders. It also recommended some reconsideration of the procedure for the baptism of illegitimate children.

4.3 Urban Family Life: Dundee.

Although, in its final report, the Commission had nothing to add to its previous brief comments on urban sexual behaviour, it did say a little about urban family life. Its visit to Dundee in 1892 had made this subject one which it could not ignore. Dundee's housing was so bad that compared with it 'the bothies in the country are palaces'.[3] Conditions of labour however were what the Commission found most 'painful'. Of the 5,000 children in Scotland of ten years and upward who worked 'half-time', 3,500 were employed in Dundee factories. Many of them said that they preferred the half time they spent at work to the half time in school. But the Commission believed that, despite this and despite benevolent employers, the half-time system was 'morally hurtful', destroying reverence for parents, making children difficult to control, and bringing 'all sorts of unrighteousness into play'.[4] In Dundee also, the Commission found, there were 17,000 more women than men: and it related this statistic to the men's extreme difficulty in finding employment after the stage of apprenticeship, and to the jute industry's preference for female labour. As a consequence of unemployment many of the men of Dundee were given to 'loaf-

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1. Ibid.
2. Ibid.
3. C.of S.G.A.R., 1892, p.982.
4. Ibid., p.984.

ing' while very many married women worked in the mills. Even when the husband was employed, and even when he was earning high wages, the idea that wives should work was still acceptable. This, the Commission believed, 'means a large wreckage of family life'.[1] Issues of this kind would figure increasingly in church pronouncements after the turn of the century.

4.4 Family Religion.

Family religion was not a subject into which the Commission enquired in any depth. Its 1892 report recorded some comments by the Presbytery of Lanark about the difficulties faced, by those farmers who wished for it, in persuading their servants to join in family worship. One farmer was told by his servants 'that he had nothing to do with their religion, and that if he insisted they would leave his service'.[2] Another found that whenever he invited them to attend family worship, his servants, 'especially the young men',[3] went out of the house. Little more than this was written on the subject by the Commission. But that this - or simply the absence of any corporate worship whatever on farms - was typical (except when those ministers who visited conducted it) may be assumed from the summary remark in the Commission's final report.

> 'Too seldom now is the worship of God maintained in the houses of its (Scotland's) people; too seldom is there found the gracious yet firm authority of the parent guiding the moral and religious education of his children; "The Cottar's Saturday Night" is becoming more and more a bit of poetry'. 4

In making much the same comment about 'The Cottar's Saturday Night', however, a return to the Presbytery of Dunbar added that while such scenes were dis-

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1. C.of S.G.A.R., 1896, p.811.
2. C.of S.G.A.R., 1892, p.949.
3. Ibid.
4. C.of S.G.A.R., 1896, p.827.

appearing, 'the general moral and religious level of the people is perhaps higher'.[1]

But again there was no very obvious consensus, for complaints about the decline of parental authority were numerous. The Presbytery of St. Andrews was worried about lax parental control even among church-going families,[2] and even the Presbytery of Lochcarron was concerned about 'the relaxation of parental authority which is taking place'.[3] Both of these Presbyteries feared that this would have a detrimental effect on church-going. Similar fears were expressed by the Presbytery of Dunfermline, in which complaints were made of the absence of religious instruction in day schools as well as in the homes of 'three-fourths of the population'[4] (the proportion there estimated to be 'virtually' non-church-going). The Sabbath-school, it was claimed, could make no headway against this. Unlike 'the Roman Catholic Church, wise in their day and generation' who 'make this a vital point and spare no effort to secure it',[5] the Scottish Church was making woefully inadequate provision for the religious education of the young.

In its final report the Commission came back to this question, expressing concern that while 'the vast majority of the children of Scotland are to be found in the Sunday-schools belonging to the different denominations',[6] many of these did not keep up their connection with the churches. Among the reasons for this was the fact that the Sunday-school attended by children was often chosen on the ground of convenience, or because it was attended by the children's friends. It might well not be the Sunday-school attached to the church with which the parents were connected. Children were also lost to the church

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1. C.of S.G.A.R., 1894, p.763.
2. Ibid., p.777.
3. C.of S.G.A.R., 1897, p.946. Vide also the Presbytery of Jedburgh (C.of S. G.A.R., 1896, p.776).
4. C.of S.G.A.R., 1894, p.805.
5. Ibid.
6. C.of S.G.A.R., 1896, p.846.

because many children of church members or adherents joined some association such as the Glasgow Foundry Boys' Society, which met during the hours of worship. These associations were intended for the children of non-church-goers, but their short addresses and 'catchy'[1] music attracted the others as well, even if the organisers tried to dissuade them; and the habit of church-going was lost. The Commission recommended closer co-operation between such bodies and the church, as well as some sort of 'continuation Sunday school',[2] to bridge the gap between Sunday school and church membership. It praised the work of the Boys' Brigade in this direction, but expressed regret that the Guilds of the church had grown so slowly and sporadically. It also requested closer co-operation between churches when members moved from one district to another. None of this, of course, has much directly to do with family religion. The point being made in mentioning it here is to indicate how far the Church of Scotland was now emphasising church-organisation-oriented rather than family-oriented religion.

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1. Ibid., p.848.
2. Ibid., p.849.

CHAPTER SEVEN:

RELIGION AND MORALS: THE FREE CHURCH VIEW: 1870-1890.

1. Themes and Regional Variations.

Having brought the Church of Scotland to the eve of the twentieth century we must now return to rescue the Free Church from the nineteenth, difficult though that may be. Enough has been said about the Religion and Morals committee of that church for it to need no farther introduction here. The information on which this chapter is based has been drawn from its reports from 1870 to 1900, and concerns sexual morality, ecclesiastical discipline and family religion. Since much of this information related to local conditions we shall consider first of all reports about the different districts of Scotland. This will be done by dividing the sixteen Synods of the Free Church into six groups similar to those of the previous chapter: 1) the North; 2) the North-East; 3) East Central Scotland; 4) West-Central Scotland; 5) the South-East and 6) the South-West. As has and will become apparent, these divisions do not always correspond to recognizable geographical or social divisions of, for example, a Highland/Lowland, or agricultural/industrial nature. But they serve for our present purpose. Since much of the information contained in the Religion and Morals reports was fragmentary, often vague and frequently repetitive, what is said here about each division concentrates upon the picture drawn by the committee in the early 'seventies, noting any significant changes recorded thereafter in the subsequent thirty years. The second and third parts of the chapter then deal with the vulture's eye picture of Scotland as a whole, regarding sexuality and piety respectively, given by the committee in its more general comments.

1.1 The North.

In 1872 the NorthernIsles[1] had the lowest illegitimacy rate in Scotland. This however did not deceive the committee on Religion and Morals, which complained that the islanders were too ready to tolerate ante-nuptial fornication and to assume that marriage put everything right.[2] In particular, the committee was concerned with the 'questionable' courtship system of the islanders, about which, in 1885, it had received numerous complaints from the majority of Free Church congregations in Orkney. Midnight courtship, its deputies reported, 'appears to have been an old and general custom in the islands', and, they remarked - rather surprisingly for them - that, 'in times of greater simplicity it was less objectionable than now'.[3] They were, however, convinced that it was now highly dangerous and although on prosecuting their enquiries they found elders very unwilling to discuss the subject, they had formed the impression that

> 'midnight-courtship is far from an uncommon practice - that in too many cases it is winked at by the parents - and that it is the fruitful source of immorality, which is often so far concealed from public notice, by subsequent marriage'. 4

It was the committee's hope, although it found the situation difficult to assess, that the 'many fine racial and Christian characteristics'[5] of the Orcadians would enable them to break free from these customs. But in 1886, two years after this statement was made, ministers in some districts were still reporting that the courtship system was 'looked upon more as an ineradicable custom than

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1. Vide F.C.G.A.P.& D., 1872, R.& M. Report,pp.20ff. This information came from the Assembly's Deputies, sent to confer with and report on the islanders. The reports dealt with in this chapter came either from these Deputies (mostly ministers and elders from other parts of the church than that visited) or directly from the Synods, Presbyteries, Sessions and ministers of the areas concerned.
2. Nor, incidentally, did they see any harm in smuggling. Their ministers, however, thought that, to deter them, this should be made an ecclesiastical as well as a civil offence.
3. F.C.G.A.P.& D., 1885, R.& M. Report, p.27.
4. F.C.G.A.P.& D., 1886, R.& M. Report, p.33.
5. F.C.G.A.P.& D., 1884, R.& M. Report, p.57.

a grievous evil';[1] and although on this occasion the committee was told that public opinion against it was growing - so that midnight courtship perhaps might 'in a year or two be as much reprobated in Orkney as it would be in any part of the South',[2] it was still being denounced by local Presbyteries in 1888,[3] and in 1891 was referred to as what was 'too well known as "Orkney's running sore"'.[4] On this last occasion, however, one minister, following the committee's advice, had been 'forced to speak out on this subject both in public and private', and more of his colleagues were now reporting that 'a higher tone is gradually showing itself in regard to this sin' and that 'things are improving decidedly'.[5] From Shetland too that year came reports that illegitimacy was decreasing[6] - for although on previous occasions the Shetlanders had been more reticent about the subject,[7] it had been made clear that midnight courtship there also was a custom 'of long standing', which 'almost universally prevails, and ... is not only connived at, but encouraged by professedly Christian parents'.[8] In Shetland, as in Orkney, better housing was considered to be a useful supplementary remedy to ecclesiastical means of dealing with the problem.[9] In Orkney particularly defective housing and the 'great poverty' of many of the people made home life, in the committee's opinion, 'less favourable to pure ethical and spiritual life, than, in the Christian civilization of an enlightened age it should and might be'.[10] But

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1. F.C.G.A.P.& D., 1886, R.& M. Report, p.34.
2. Ibid., p.33.
3. F.C.G.A.P.& D., 1888, R.& M. Report, p.16.
4. F.C.G.A.P.& D., 1891, R.& M. Report, p.13.
5. Ibid.
6. Ibid., p.12.
7. The Report of 1885 (F.C.G.A.P.& D., 1885, R.& M. Report, p.2) had mentioned 'difficulties of a kind which the careful language of Shetland prudently leaves under the veil'.
8. F.C.G.A.P.& D., 1890, R.& M. Report, p.12.
9. Vide ibid. (Shetland) and F.C.G.A.P. & D., 1884, R.& M. Report, p.57 (Orkney). There were however few bothies in Orkney - according to F.C.G.A.P.& D., 1886, R.& M. Report, p.33.
10. F.C.G.A.P.& D., 1884, R. & M. Report, p.57.

the Free Churchmen of the Northern Isles were also not above the tactic of blaming their problems on outsiders: a report of 1891 noted that there has been an 'increase of various vices, due chiefly, it is presumed, to the influx of strangers during the fishing season'.[1]

As far as family religion was concerned, however, problems began at home, and with the exodus of fathers rather than the influx of strangers. The majority of the young men in the islands, according to the 1872 report, spent most of the year at sea, and tended not to join the church. This they left to the women, who joined when they married, so that their children could be baptised. But one minister stated that heads of families were not admitted to communion unless they held family worship. So perhaps this, and the men's absence at sea, accounted for the claim, by another, that family worship was far from universal and that parental authority was not respected. Complaints of this kind were still being made in 1884, when the committee was told about the situation in very gloomy - indeed apocalyptic-terms:

> 'The Family is a Divine institution, as well as the ministry or the magistracy; and the heads of families are called to be indeed ministers of the Lord - priests of God in their own house. A higher standard is needed - clamantly needed here. The excessive liberty allowed to the young, even to children, together with the cause of this - or both cause and effect of this - the signal absence of parental respect and authoritative control, is one of the evil features mentioned by the Apostle Paul as characterising the last times. These features are present now.' 2

One reason why the Northern Isles were viewed in this way by the Religion and Morals committee and by the local ministers may have been that they, unlike the Highlands, were by no means under the thumb of the Free Church. Free Church congregations in fact only accounted for 29 out of the 90 Presbyterian congre-

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1. F.C.G.A.P.& D., 1891, R.& M. Report, p.12.
2. F.C.G.A.P.& D., 1884, R.& M. Report, p.57.

gations in Orkney and Shetland.[1]

Across the Pentland Firth, reports from Caithness[2] and Sutherland[3] suggested that sexual morals were better in the country than in the towns - especially those of Caithness; and although a report of the 'eighties alluded to the bothies of Caithness, made infamous by the Revd. Charles Thomson, as places where 'immorality and licentiousness are sadly prevalent', it also pointed out that 'in other parts of the same county farm servants are spoken of as regular in their attendance at church and exemplary in their character and conduct'.[4] According to these reports the bothy system was by no means universal in Caithness and the housing on a number of farms was considered to be quite good. Indeed, in 1892, after the Synod of Sutherland and Caithness had held a special conference on the subject of Purity, it blamed rural immorality not just on the bothy system, but also, albeit in veiled language, on 'immorality in high places'.[5] The Presbytery of Dornoch added to this the comment that 'dancing-balls accompanied with drink' were 'the cause of much sin'; and it remarked that 'since the introduction of railways, there have been more strangers and laxer morals'.[6] In general, however, both uncleanness, and discipline because of it, were rare in Sutherland and Caithness. The area was, after all, solid Free Church country. So too were the Synods to

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1. Vide Howie: op.cit., p.38. These figures are for 1879. Membership figures were: C.of S., 11,649; F.C., 6,043; U.P., 4,805. There were also 21 congregations of non-Presbyterian denominations.
2. F.C.G.A.P.& D., 1872, R.& M. Report, p.13.
3. F.C.G.A.P.& D., 1873, R.& M. Report, pp.49ff.
4. F.C.G.A.P.& D., 1884, R.& M. Report, p.19. This report also complained about pluralist farmers whose grieves were uninterested in the conduct of farm servants.
5. F.C.G.A.P.& D., 1893, R.& M. Report, p.13.
6. Ibid. At this conference the Synod was also concerned with swearing and graffiti. It wrote (ibid) that 'considering the stringency of our laws against obscene publications of all sorts, it is scandalous that so much moral filth should be allowed to flaunt itself and force itself on the eye, and the mind, and that public conveyances and even one's own doors should be defaced by the abominations of foul-minded schoolboys and others'.

the South, Ross on the East Coast[1] and Glenelg in the West, both of which reported in similar terms about sexual sins and discipline. In the early 'seventies illegitimacy also was very rare in Glenelg[2] and Ross[3]. On those rare occasions when illegitimacy did occur, it was blamed, by Glenelg, upon young women who went into service in the less moral parts of the country (the same excuse was applied to men and intemperance, which was decreasing but still 'far too common'[4]), and upon 'squads' of workmen employed on the larger farms, by Ross.[5] Reports from these Synods in 1875, 1880 and 1884 continued to record that the people's sexual morality, usually measured by the infrequency of cases of discipline involving illegitimacy and ante-nuptial fornication, was high; and they continued to blame domestic service and other employment in the Lowlands for such sins as could be found. In 1890, however, the Presbytery of Lewis claimed that absence from home 'at the herring-fishing stations on the East Coast and in Shetland'[6] was responsible for lowering the tone of

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1. The total population of Ross - the Synod, not the county (the former comprised Presbyteries situated in Easter Ross and the Black Isle) was 41,654, of which 29,432 persons were connected with the Free Church. The total average F.C. attendance in the Synod was 15,960 and there were 2,155 F.C. communicants (F.C.G.A.P.& D., 1871, R.& M. Report, p.40). In the two Sutherland Presbyteries, Tongue and Dornoch, the total population was 23,186 and the total average F.C. attendance was 8,209. As in Ross, the number of communicant F.C. members (836) was very small (F.C.G.A.P.& D., 1870, R.& M. Report, p.21). If, as in Ross, the total average F.C. attendance was roughly half the total number of those connected with the F.C., then roughly 16,000 or well over half of the population would have been connected with the F.C. These must have included children, since Howie's figures (op.cit., p.38) for 1879 (allowing for depopulation in the meantime) of F.C. members and Gaelic adherents over 18, were roughly similar to the total average church attendance. Howie (ibid.) showed that the F.C. was only slightly less dominant in Caithness than it was in Sutherland.
2. F.C.G.A.P.& D., 1873, R.& M. Report, pp.45ff. Glenelg comprised the West of the counties of Ross and Inverness, together with Skye, Lewis and Uist.
3. F.C.G.A.P.& D., 1870, R.& M. Report, pp.19ff.
4. F.C.G.A.P.& D., 1873, R.& M. Report, p.48. These reports were supported by a report from the Free Presbytery of Cupar (F.C.G.A.P.& D., 1875, R.& M. Report, p.13), which complained about the 'evil influence of the bothy system, especially in the case of Gaelic speaking women, who came in numbers from the Highlands for farm work, and who attend no church'.
5. But in the Presbytery of Tain at least, the bothy system was said to be 'almost unknown' (F.C.G.A.P.& D., 1884, R.& M. Report, p.23).
6. F.C.G.A.P.& D., 1890, R.& M. Report, p.13.

some of its men and women, and, in the following year, the Presbytery of Tain also expressed its belief that herring fishing migrations 'exposed' its young women 'to great temptations'.[1]

As far as family religion was concerned, at least in the early 'seventies, such migrations were seen by the East Coast Presbyteries as beneficial to their people, for fishermen from the West Coast and the Western Isles were said to be having a good effect upon the piety of the locals.[2] But even apart from this, the Free Church population of Caithness and Sutherland were almost devout enough to please even their own ministers: twice-daily family worship was said to be common in almost all homes, and catechising took place regularly. Children were taught the catechism on the Sabbath and sometimes on other nights as well. Reports throughout the 'seventies and 'eighties testified that much the same was true of Ross and Glenelg. In 1873 a report from Glenelg[3] stated that family worship was held twice daily, even where the head of the family was illiterate; and in 1884 the Presbytery of Tain reported that in one district within its bounds 'no family is known where worship is not maintained twice a day'.[4] Although, five years later, the minister of Tain had to inform the Assembly that farm servants - who left home early in the morning and whose children were at school when they came home at lunchtime - found it difficult to hold family worship at any other time than in the evening, the Religion and Morals committee remained on the whole very pleased with the Highlanders; and it remarked in 1884 that it wished that 'office-bearers in all parts of the country were as well acquainted with the religious life and habits of their brethren as their Northern brethren are'.[5] We shall see more of the reason

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1. F.C.G.A.P.& D., 1891, R.& M. Report, p.14.
2. East Coast fishermen in Sutherland, although irregular, were not non-church-attenders.
3. F.C.G.A.P.& D., 1873, R.& M. Report, pp.45ff.
4. F.C.G.A.P.& D., 1884, R.& M. Report, p.6.
5. Ibid., p.5. In 1890 the Presbytery of Tain was still prayerful. It reported that 'in two districts all the people assemble together on Sabbath evenings for worship and all the heads of families, without exception, lead the meetings in turn in public prayer' (F.C.G.A.P.& D., 1890, R.& M. Report p.14). The religiosity of Easter Ross was also illustrated by the Presbytery's observation that 'some of the young men seem very anxious about their souls, so anxious, indeed, that they come to their ministers with the all-important inquiry, "What must we do to be saved?"' (ibid.).

for this remark in due course.

1.2 The North-East.

But if the North-West Highland Synods were pure and faithful to the Free Church, along the coast the Free Provincial Synod of Moray was uneasy about its religious and moral identity. It western flank lay deep in Free Church territory, but in the East there was less devotion to Disruption principles; and throughout, in addition to the presence of congregations of the Established and U.P. churches, there was 'a considerable admixture of native Popery'.[1] The geographical and religious divisions were also reflected in the people's morals. In the early seventies the illegitimacy rates, from West to East were: Inverness and Nairn, 7 per cent.; Elgin, 14 per cent.; and Banff, 16 per cent. Morals were also categorised by occupation. Fishermen were pretty free of uncleanness, but unlike the rest of the population (except sailors who were bad on most counts), they drank too much. Domestic servants were on the whole very respectable.[2] And farm servants were very guilty of ante-nuptial fornication, although almost never, it was claimed, of adultery.[3]

The farm servants' fondness for fornication, the Synod considered, although not increasing, was reinforced by the lack of parental discipline.[4]

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1. F.C.G.A.P.& D., 1871, R.& M. Report, pp.11ff. The West of this Synod included the county of Nairn, and parts of the counties of Inverness and Elgin (Morayshire). The East included the rest of Elgin and the county of Banff. A proportion of the Roman Catholics in the county of Nairn had been driven there by famine, from Barra, in 1846. In the town of Inverness, according to the Synod, there was too much Episcopacy. But congregations of the smaller denominations, it noted happily, were 'weak and struggling', throughout the Synod (ibid., p.12).
2. But there was 'alas, frequent occasion to deplore the thoughtlessness with which many of them expose themselves to temptation' (ibid., p.14). 'Alas', particularly perhaps, because according to the Synod many of those who were at risk came from its Highland parishes.
3. Not even, it was claimed, in the areas with the highest illegitimacy rates. But then, if those who might have been guilty were never married in the first place, the risk of adultery may have been reduced (vide Ch. 3, 1.6 above).
4. Things did not improve with time. In 1899 the Synod reported that it had to bewail 'the laxity of home discipline and the inadequate appreciation of parental responsibility' (F.C.G.A.P.& D., 1899, R.& M. Report, p.9).

This in turn was attributed to the infrequency with which many married servants visited their wives and children, resident in distant towns or villages. Nor did the fact that these visits usually took place on Sundays, when they should have been in church anyway, do anything to help matters. For this state of affairs the Synod blamed the farmers, who objected to 'children about their steadings',[1] and preferred the bothy system. One minister even went so far as to complain that 'while much is said about the immorality of farm-servants in this district, there is fully more drunkenness among middle-class farmers than there is among farm-servants'.[2] But although nothing was said directly about courtship customs, the Synod's recommendation that 'opportunities for honourable courtship'[3] should be afforded, suggests that it was not unaware of the existence of these customs within its bounds.

Despite all this, discipline was rarely exercised in the Synod for cases of uncleanness. In the average congregation there were only one or two cases a year, a few of which, in the Presbytery of Inverness, were for illegitimacy. The Synod made a point of indicating thereby how little discipline was needed when the Free Church's evangelical ministry was exercised. But that ministry could have had little effect on the agricultural population, since only a few farmers assembled their servants for religious instruction on Sabbath evenings. Among the fishermen, by contrast, family worship was said to be almost universal.

The Synod of Aberdeen,[4] to the South-East of Moray, and that of Angus and Mearns,[5] to the South again, each contained a city. Thus, it would seem, each had a larger number of social variables to be taken into account in evaluating their inhabitants' moral and religious behaviour. This was not, however, apparent in the reports, which read as if farm servants, fishermen and domestics

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1. F.C.G.A.P.& D., 1871, R.& M. Report, p.13.
2. Ibid., p.14.
3. Ibid., p.18.
4. Vide F.C.G.A.P.& D., 1870, R.& M. Report, pp.3ff.
5. Vide F.C.G.A.P.& D., 1872, R.& M. Report, pp.5ff.

were the only classes with sexual functions. In discussing these, the Synods gave farm servants much the usual treatment, attributing their uncleanness to the bothy system and, in Angus and Mearns, to their migratory habits and loose attachment to the Established Church. This Synod was, however, harsher on farm servants than Moray had been.

> 'To a large extent (it noted) our farm-servants are ignorant, licentious, profane and rude, and the gulf between them and their masters is widening year by year to an alarming extent.' 1

This was a typically insulting and insolent comment. Fishermen too were treated as before, being given a good spiritual and sexual character, and so, in Angus and Mearns, were domestics. Aberdeen, however, rather more assiduous in its reporting, recorded the observation of an 'earnest labourer in the Lord's cause' that:

> 'The condition of many of the female servants in our city is very sad indeed. For a time last year hardly a week passed without the fall of some servant girl coming incidentally to our notice.' 2

This Synod also ventured a more circumstantial account of the origins of rural uncleanness - which it applied to young people in general rather than to farm servants in particular. It reported that:

> 'In the country young men and women, who have been to church in the (Sabbath) forenoon, often resort to the woods and fields, to the hills and river banks, where much frivolity and indecency takes place among them.' 3

One remarkable feature of this was the admission that these sinners actually had been to church; and a further comment by the Aberdeen Synod, noting that uncleanness was not simply proved by the Registrar's statistics,

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1. Ibid., p.9. It is perhaps no surprise therefore to read the statement made by one Free Church minister (ibid., p.11): 'When I reprove any on the street for swearing, they either speak rudely or silently look in astonishment.'
2. F.C.G.A.P.& D., 1870, R.& M. Report, p.8.
3. Ibid.

but was also 'of frequent occurrence among our members',[1] showed that all of the responsibility could not be shifted to the Establishment.[2] This statement, a rare admission by a Free Church Synod, was based on the number of discipline cases, and it may be that 'members' here included adherents. Cases 'for obvious reasons'[3] were rarer in the towns.

Further reports from these Synods during the remaining years of the nineteenth century made many of the same points. Very little was said about sexual behaviour in the cities - although in a rare reference to prostitution in Aberdeen it was reported, in 1880, that 'street walking has decreased, but illegitimacy has increased'.[4] On the whole, reports preferred to concentrate on the rural districts where, as for example in the Angus and Mearns parish of Glenbervie, 'uncleanness' was the great sin of the district, especially among the farm-servant class'.[5] It was also remarked on this occasion, however, that 'even the farmer class' was 'sadly tainted by it';[6] and a hint that some Free Church ministers were beginning to doubt the wisdom of their colleagues' onslaught upon farm servants was provided by a return from the Presbytery of Aberdeen's rural parish of Maryculter, in 1880, which stated that

'considerable agitation has been excited among

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1. Ibid., p.7.
2. The Free Church was in a minority in both Synod's areas. The membership (including Gaelic adherent) figures for 1879 (Howie: op.cit., p.38) were:
   Aberdeen: C.of S.: 74,022; F.C.: 28,717; U.P.: 5,103.
   Angus & Mearns: C.of S.: 58,226; F.C.: 25,221; U.P.: 10,944.
   The number of congregations gave a rather different proportion:
   Aberdeen: C.of S.: 137; F.C.: 105; U.P.: 29; Other: 96.
   Angus & Mearns: C.of S.: 110; F.C.: 81; U.P.: 34; Other: 81.
   (The 'Other' figures are for 1885.)
3. F.C.G.A.P.& D., 1870, R.& M. Report, p.8.
4. F.C.G.A.P.& D., 1880, R.& M. Report, p.46. In the previous year's report it was stated by some Free Church congregations that ante-nuptial fornication was not increasing in Dundee (F.C.G.A.P.& D., 1879, R.& M. Report, p.18), and that while there were not many farm servants in Free Church congregations in the area, those who were to be found were 'highly respectable' (ibid., p.20).
5. F.C.G.A.P.& D., 1883, R.& M. Report, p.22.
6. Ibid.

> (farm servants) through the action of church courts in picking them out, as if they were more degraded than labourers of the same class, while their employers, often as godless and profligate as they, are passed over. This is said to do much harm among the men'. 1

Opinions about the causes of uncleanness continued to range over the usual factors - bad or deficient housing, mobility, lack of parental discipline, and the lax discipline of the Established Church,[2] to which so many farm servants continued to ahere.

Reports on the subject of family worship in the Synods of Aberdeen and of Angus and Mearns were not very illuminating: in 1870 the former claimed that it was observed by most heads of families, but did not make clear whether this remark applied to the population as a whole or merely to the Free Church. In Angus and Mearns at any rate, it was only the latter, according to that Synod's 1872 report. The usual form, this report stated, was either bible reading and prayers once daily, or either or both on Sunday evenings only. But it believed that the practice, whatever the form, was increasing. Both Synods complained, however, that religious instruction of the young and in families was neglected because parents left it to the Sabbath schools. This complaint was echoed, at the end of the 'seventies, in returns from Dundee congregations. In two of these family worship was said to be common enough on Sundays, but not on weekdays; but in some others the elders found it difficult to give any account of the amount of family worship which went on.[3] One congregation stated that among its heads of families 'an inability to express themselves in prayer in the hearing of others was a hindrance to the practice of family worship', and it suggested 'that a manual of prayers, authorised by the Church,

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1. F.C.G.A.P.& D., 1880, R.& M. Report, p.48.
2. E.G. Glenbervie: F.C.G.A.P.& D., 1883, R.& M. Report, p.22.
3. The minister of one congregation reported that he always urged the duty on couples whom he married (F.C.G.A.P.& D., 1879, R.& M. Report, p.20).

might be of great use'.[1] Aberdeen, it seemed, was more devout: even in what was described as a 'very low' district of that city, catechising was said to be general.[2]

In the rural areas of these Synods during the 'eighties returns spoke more hopefully than before about family worship. Even in the notorious areas around Banff and Turriff family worship was reported to be increasing, one parish in 1882 going so far as to claim, that although there was not much catechising, it was exceptional for there to be no family worship in a home. Farther south, in 1883, there were reports from the Presbytery of Kincardine-O'-Neil that family worship was 'pretty general' on the Sabbath, and held in 'a good many'[3] houses on weekday evenings. But farther south still, from the Angus Presbyteries of Meigle and Fordoun, reports were less hopeful, the latter remarking that 'the evening service rather interferes with family catechising on the Sabbath evenings' - although, the Presbytery admitted, 'the parents generally see that their children attend to their Sabbath-school lessons'.[4] Of course here again it is difficult to know how far all these remarks applied to the population at large or simply to the Free Church. That talk about family worship being general in these areas mostly was talk about the latter, is certainly suggested by a return in 1888 from the Presbytery of Deer, which referred to a Free Church congregation in which the minister could 'speak with certainty of at least thirty families, out of the seventy of which his flock is composed, as being regular observers of family worship'.[5] Or at least it would be, if we knew what on this occasion was meant by 'regular'. The subject is decidly obscure.

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1. Ibid., p.19.
2. F.C.G.A.P.& D., 1880, R.& M. Report, p.47.
3. F.C.G.A.P.& D., 1883, R.& M. Report, p.29. (Parish of Lumphanan.)
4. Ibid., p.21.
5. F.C.G.A.P.& D., 1888, R.& M. Report, p.61.

1.3 East Central Scotland.

Obscurity also characterised the 1873 report of the Synod of Perth and Stirling,[1] which contained a great number of highly contradictory and inconclusive returns dealing with morality. Within the same Presbytery and even within the same congregation, observers might claim that the immorality of farm servants was, variously, 'much the same', 'less', 'not more', 'increasing', 'decreasing' and 'not decreasing'. In general, the Synod concluded, 'that violations of the seventh commandment are less frequent than they were, and that the grosser forms of this sin are rare'.[2] What these grosser forms were is not specified: rape, incest, abortion, or simply adultery? The last seems most probable since the Synod's disciplinary statistics recorded ninety-seven cases during the previous year, most of which were cases 'of fornication and ante-nuptial fornication',[3] and only two of which were cases of adultery. (In that year at least twenty Sessions had no cases of discipline at all to deal with - and the Synod believed that the disciplinary system was maintained fairly.) As far as fornication was concerned one minister believed that there was 'a growing disinclination after guilt to make the reparation that marriage offers' and he regarded this 'as symptomatic of declension in the moral tone of the place'.[4] In favour of farmworkers however, one return claimed that ploughmen and shepherds were spiritually as good if not better than those in other parts of the country, while otherreturns suggested that their moral character depended on that of their masters. But some were 'not in a good condition; many Irish Roman Catholics'.[5]

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1. Vide F.C.G.A.P.& D., 1873, R.& M.,Report, pp.29ff.
2. Ibid., p.39.
3. Ibid., p.31.
4. Ibid., p.33. On discipline the comment was also made that 'in the case of parents who have been under discipline, the baptism of their first child is not seldom in private or before the session, and the same may be said in reference to illegitimate children' (ibid., p.30).
5. Ibid., p.37. The Synod was also concerned about the behaviour and influence of navvies working on the railways (ibid., p.31).

Irish Catholics were also blamed for 'evils' in the community, by the Presbytery of Stirling in 1879;[1] but this was a pretty standard complaint, as was that made in the same report of swearing children. The only relatively new factors mentioned were 'harmful theatres of a very low class';[2] and, in a report from Perth Presbytery in 1884, 'elements of danger in church social meetings',[3] and 'the growing practice of exhibiting partially nude figures on bills on walls and in windows as advertisements of plays and other entertainments'.[4] The Presbytery of Perth set up a committee 'to deal with these evils', and in both Presbyteries ministers preached special sermons on Purity in 1892.

Statements about family worship were, by the Synod's own admission, 'vague and indefinite'.[5] One minister said that it was more general than he had once thought, another that it was increasing. But none could produce statistics, nor perhaps wanted to. As one minister remarked, he had 'never heard of such statistics since the time of the Searchers during the covenanting period, - an institution that he would not like to see revived'.[6] And the Synod concluded that 'family worship, though by no means as general as all testimony shows it must have been a century ago, has increased during the last few years'.[7] On the subject of parental authority there seems to have been a measure of agreement in the Synod. It was 'not now reverenced as it once

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1. F.C.G.A.P.& D., 1880, R.& M. Report, passim.
2. Ibid.
3. F.C.G.A.P.& D., 1884, R.& M. Report, p.59. Some Sessions 'suggested that a stand should be taken against young people appearing in character when singing songs'. Were the Sessions trying to enact new sumptuary legislation? Or had they hidden fears that drag might escalate into transvestitism? They also considered 'that ministers should revise the programme as a condition of attendance' (ibid.), and were very concerned about 'the existence of dancing saloons that are demoralising the youth of both sexes in large towns' (ibid.).
4. Ibid.
5. Ibid., p.37.
6. Ibid.
7. Ibid., p.38.

was'[1] - especially once children started to work,[2] when they often became disobedient.[3]

The Presbytery of Perth expressed much the same opinion, when in 1879 its members remarked upon 'the increase of insubordination and indocility in the youth of both sexes, indicating, as they fear, a change in household management and family discipline from what was wont to be all but universal in Scotland'.[4] (The Presbytery made much the same point again in 1884, when it commented that 'there is not the attention given to family worship, nor the submission to parental authority that were formerly'.[5] And it recommended, to deal with this, special sermons, advice at baptisms, and 'elders conducting family worship in homes where it is neglected'.[6]) Its interest in youth did not however entirely dispel its concern with farm servants. 'Why', asked the Synod in 1891, 'should our Church lose hold of this large and interesting class?'[7] Many of its members seemed, quite genuinely, not to know.

The Synod of Fife gave the subject of illegitimacy very close consideration. It reiterated the charge that 'many of the children whose births are recorded as illegitimate are by the law of Scotland (be it a bad or a good law) perfectly legitimate'.[8] Nevertheless, it paid close attention to the published

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1. Ibid., p.31.
2. In the case of boy and girl weavers this could be at the age of thirteen or fourteen.
3. In common with some other Synods, Perth and Stirling was curious about demoralising and immoral publications. Apart from some Tractarian tracts, whose purveyors were said not to be very successful, they found little of either kind of publication. In Free Church congregations, by contrast, the Missionary Record sold well, the Children's Missionary Record even better. Moray (F.C.G.A.P.& D., 1871, R.& M. Report, p.23) had complained about the distribution of 'cheap sensational novels' and that 'books of the type of Renan's Life of Jesus, Ecce Homo, etc., are read to a considerable extent, and although the views which these works advocate may be rejected, they often leave behind them a seed of scepticism and cavilling'.
4. F.C.G.A.P.& D., 1879, R.& M. Report, p.2.
5. F.C.G.A.P.& D., 1884, R.& M. Report, p.58.
6. Ibid.
7. F.C.G.A.P.& D., 1891, R.& M. Report, p.18.
8. Vide F.C.G.A.P.& D., 1870, R.& M. Report, p.15. This was presumably a reference to the children of unregistered irregular marriages.

statistics of the Registrar General (for 1866-67), which showed, to its credit, that the illegitimacy rate in Fife (8.72 per cent.) was lower than that for the mainland rural districts of Scotland as a whole (10.82 per cent.). Within its own bounds, the Synod found that illegitimacy was highest in the Presbytery of Cupar (11.31 per cent.), followed in turn by those of Kinross (9.81 per cent.) Kirkcaldy (8.37 per cent.), St. Andrews (8.16 per cent.) and Dunfermline (7.64 per cent.). Comparing these statistics and those of individual parishes, the Synod found it difficult to form exact conclusions, but were

> 'satisfied that the percentage is greatest among the agricultural population, though there are some rural parishes where the proportion is remarkably small; that it diminishes among the manufacturing and mining population, and is least of all among the fishermen'. 1

In discussing the agricultural population[2] the Synod distinguished between the mechanics and handloom weavers of the villages and small towns, and the farm servants. It was the latter class among whom unchastity, although not of course intemperance, was 'fearfully prevalent'.[3] Farm servants were 'very stolid and inaccessible' and 'sinking in regard to religious character'.[4] For this, migratory habits and a commercial rather than a paternal relationship between masters and servants was at least partly to blame. The Synod said less about the morals of the manufacturing population, whose character in general, and apart from their habit of walking five miles on a Sunday to buy a drink as bona fide travellers, was high and improving. Miners they divided into three classes: a fifth who were steady, kept their jobs, married young and except for occasional indulgence in ante-nuptial fornication rarely broke the seventh commandment; the majority, who were ready 'to flit on the prospect of the smallest gain', but among whom illegitimacy was 'almost unknown'; and a

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1. Ibid., p.17.
2. On the Synod's discussion of the church-going habits of all these classes vide Ch. 2:3, above.
3. F.C.G.A.P.& D., 1870, R.& M. Report, p.13.
4. Ibid.

third and worst class, who were 'always on the move, and never entering a church', and whose wives were 'given to smoking and drinking' and getting 'credit on their husbands' wages before pay-day, that they may spend them in liquor'. Yet, said the Synod:

> 'even among this class the marriage bond is respected, though there is a good deal of ante-nuptial fornication'. 1

The sexual morals of other sections of the Fife population were hardly discussed by the Synod. It was highly reticent about the middle classes, vague about the urban population, and admitted to ignorance of the lives of sailors. It did however discuss fishermen, a class 'naturally reckless' because of the uncertainty and irregularity of their gains, 'but not vicious'.[2] 'Simple, affectionate and impressible', the fishermen worked hard and owned a little property.[3] Even among this class, however, antenuptial fornication was 'too common'. But there were few illegitimate births. The fishermen tended to intermarry, and 'in most cases the parties are married before the child is born; so that the birth is not recorded as illegitimate in the register'.[4]

If illegitimacy was rare among fishermen it was rarer still in the congregations of the Free Church. On this subject also the Synod had done its sums and reported that while, for example, within the bounds of the Presbytery of Dunfermline the Registrar General reported 109 illegitimate births in 1866, only 10 of these were at all connected with the Free Church. Although it had not calculated the proportions connected with other denominations or with no church at all it was thus

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1. Ibid., p.14.
2. Ibid.
3. The Synod implied that they could have owned more: 'They trust to the anticipated success of the morrow, instead of providing for to-day' (ibid., p.15) - a comment which sounds like a desperate attempt to square the Sermon on the Mount with the spirit of Capitalism.
4. Ibid.

> 'led to believe that a most material element in accounting for the very variable proportion of illegitimate births is the answer to the question, To what extent have the population attached themselves to the Free Church of Scotland?' 1

Farther proof of Free Church purity was provided by the fact that, while discipline was faithfully administered, the number of cases was decreasing - so much so indeed that the Synod found the absence of cases over a number of years in some congregations quite remarkable. But then it also found grounds for complaining about the number of fugitives from Free Church discipline who were received into the congregations of other denominations.

Returns from the Synod of Fife later in the century tended to confirm a number of these observations. But, in 1888, fishermen came in for even sharper criticism from the Presbytery of St. Andrews: ante-nuptial fornication, it reported, was still 'very common' among them, even if 'the grosser forms of this sin were 'hardly known'.[2] Their real offence, perhaps, was that they formed an exception to the Presbytery's generalisation that immorality in Fife was 'not such a crying evil as in other parts of the country'.[3] Still, Fife was not going to be lulled into a false sense of security, as the Synod observed in its report for the following year.

> 'Inside of congregations (it wrote) there have been but few indications of immorality. One Presbytery says "There seems to be a general absence of any call for the exercise of discipline." At the same time it is felt that this should not be taken too confidently as indicating a high moral tone in the district. The probability is that - as elsewhere - there is a good deal of latent immorality.' 4

How much family worship was latent in Fife was as difficult to tell. According to the Synod's report of 1870 hardly any farmers held prayers for

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1. Ibid., p.17.
2. F.C.G.A.P.& D., 1888, R.& M. Report, p.52.
3. Ibid.
4. F.C.G.A.P.& D., 1889, R.& M. Report, p.46.

their servants, and returns left 'no room for doubt that there is room for great improvement'[1] in family religion in general. In 1875 the Presbyteries of Kinross, Cupar and St. Andrews all complained that family worship was 'not as general as could be wished or expected'[2]; and in 1888 St. Andrews remarked that 'in some places, even earnest Christian workers have worship only occasionally in their own families'.[3]

1.4 West-Central Scotland.

Despite the existence of a large mining and manufacturing population within the bounds of the Synod of Glasgow and Ayr,[4] neither it nor the largely Highland Synod of Argyll[5] deviated very much from the established pattern of Religion and Morals reports. The former, noting that

> 'the agricultural districts seem to be the most notorious for uncleanness; while the towns and mining villages have a sad pre-eminence in profane swearing and drunkenness',

considered that these sins prevailed 'to an alarming extent in the general community'.[6] But it added nothing to the conventional Free Church descriptions and diagnoses,[7] except perhaps the information that in its area urban domestic servants were considered to be very respectable.[8] One reason why these reports

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1. F.C.G.A.P.& D., 1870, R.& M. Report, p.15.
2. F.C.G.A.P.& D., 1875, R.& M. Report, p.13.
3. F.C.G.A.P.& D., 1888, R.& M. Report, p.10. This led one of the Deputies to raise again the question of the church producing 'a small cheap manual of family prayers' (ibid.), which he believed would be useful.
4. Vide F.C.G.A.P.& D., 1871, pp.26ff.
5. Ibid., pp.24ff.
6. Ibid., p.33.
7. I.e. farm-servants were too attached to the migratory habit; large farms deprived them of the opportunity of looking forward to owning a farm, and thus of 'a great motive to industry and good morals' (ibid., p.30); they did not keep the Sabbath but spent it visiting friends and relations; the morals of the women were as bad as those of the men; shepherds were a more respectable class; farmers did not supervise their servants properly; Irish Catholics introduced a demoralising factor; Free Church ministers could not 'get at' nine-tenths of farm servants because they claimed to be connected with the Church of Scotland; etc. (ibid., passim).
8. But then the Synod may well have had Free Church servants in mind.

tended to concentrate upon the working-class sins of uncleanness, swearing and drunkenness was of course that these were the sins or 'hindrances' about which the committee specifically requested information. Their presence in Synod reports was thus as much a matter of the committee getting the answers it looked for, as of great Synodical minds thinking alike. On the other hand the Synod's replies are sufficiently varied to suggest that if they had discovered new categories of sin they would have said so, even if this did upset orthodox views.[1]

The Synod of Glasgow and Ayr had been quick to point out, that those sins which prevailed so alarmingly in the general community were not to be found 'to any great extent among professing Christians';[2] and the Synod of Argyll, like its neighbours to the North, found little uncleanness within its bounds, except among a few young women who had gone into domestic service in other parts of the country. But in many Free Church congregations there were not even any of these to discipline, and some sessions had had no cases for years. Only drunkenness, designated by a number of returns as '<u>the</u> sin of their parishes'[3] disfigured some of these Highland areas.

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1. The Synod of Glasgow and Ayr did in fact take the middle classes to task when it complained 'that large numbers of the wealthier classes change their residence during several months in the summer, and that the effect, morally and spiritually considered, both on themselves and on those who live in the locality thus visited is bad. Too many of those who go to the coast throw aside their wonted respect for the Sabbath, become irregular in their attendance on the means of grace, and remiss in other religious duties. They scruple not to do things at the sea-side that they would abstain from at home, and their example is very injurious' (<u>ibid.</u>, p.32). The Synod of Argyll also complained about what went on at the sea-side, but it was more concerned with the lower orders and (<u>ibid.</u>, p.25) 'the crowds that flock to watering places, for a few days, or merely from Saturday to Monday'. The Sunday Steamer was 'a great curse' to Rothesay. But the 'Free Church families that settle down for months at the coast' were, in its opinion, 'as regular and strict as our own people'. <u>Vide</u> Ch.6: 4.2.6, <u>above</u> for the Church of Scotland's comment on the same subject twenty years later.
2. <u>Ibid.</u>, p.33.
3. <u>Ibid.</u>, p.24.

Returns from these Synods in the 'eighties continued to concentrate upon congregational morality, using the discipline cases as an index. Thus in 1881, for example, the Presbytery of Glasgow, while expressing concern both about drunkenness and about Sabbath-breaking Italian ice-cream shops, believed that sexual morality was higher than before. Thus also in Argyll, in the same year, the Presbyteries of Kintyre and Islay, which claimed that discipline within their bounds was strict, reported that there was little or no immorality. And in 1888, from South Ballachulish in the Presbytery of Abertarff, despite its being 'the stronghold of High Church Scotch Episcopalianism',[1] came the claim that morality was very high. There had been 'only two cases of discipline in 10 years, and these not of a glaring kind'.[2] This was 'characteristic of the whole district'.[3]

Something of a departure from the normal pattern of Religion and Morals reports, however, occurred in 1899, when the Presbytery of Glasgow presented the Assembly with a brief report from one of its committees, entitled 'Glasgow at Midnight'.[4] This committee had 'set themselves to investigate at first hand the State of the Streets from 9 P.M. to 3 A.M.', and its original report, according to the Religion and Morals committee, was 'detailed, precise and calm'.[5] Assembly Commissioners were not given this report, however, and while the abbreviated version they received included a number of statistics on drunkenness,[6] the committee denied them the section on Prostitution: its

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1. F.C.G.A.P.& D., 1888, R.& M. Report, p.41. According to Howie's figures for 1891 (op.cit., p.19) the comparative figures for the Established, Free and Episcopal churches, each of which had two congregations in the district (although the Church of Scotland congregations were linked) were C.of S.: 69; F.C.: 329 (266 of whom were Gaelic adherents over 18) and Episcopal:203.
2. F.C.G.A.P.& D., 1888, R.& M. Report, p.41.
3. Ibid.
4. F.C.G.A.P.& D., 1899, R.& M. Report, p.12.
5. Ibid.
6. E.g. that although there were up to 250,000 people 'on the main streets on a Saturday night', the record number of arrests for drunkenness was only 486. The majority were 'well-behaved and apparently sedate people' (ibid.).

'detailed facts ... could not, with wisdom, be reproduced here'.[1] The Commissioners were however advised of the success of the Magdalene Institution,[2] of the poor state of some of the Common Lodging Houses,[3] and of nocturnal goings on in Kelvingrove Park.[4]

Returns dealing with family worship were as conflicting as ever, although in Glasgow and Ayr there seems to have been a general feeling that the practice was declining, except in the 'agricultural districts and wealthier congregations in towns',[5] and of course in Free Church congregations, where the instruction of children in biblical knowledge was also kept up. It is difficult to make much of these returns: where family worship was kept up, it seems to have been mostly on a Sunday evening and only occasionally on weekdays as well. The returns from Argyll were no clearer: in one parish it was 'very generally maintained', but the minister of another had 'fears that many of our adherents neglect it'.[6] In all cases however a connection seems to have been seen between the neglect of family worship, lack of respect for parents, and non-adherence to the Free Church. This, however, is not very surprising, especially since it too had its origin in the way the committee's questions were framed. Parents as much as young people, and especially the economic independence of the latter, were blamed for 'the practical abrogation of the fifth commandment'.[7]

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1. Ibid.
2. 'Two out of every three women passing through their hands', it was reported, were 'restored to well-doing ways' (ibid.).
3. There were 81 of these, accommodating 9351 people. Among the worst were the 17 for women, which were overcrowded (some small rooms had 5 beds in each, some with two to a bed) and paid their owners well (one room could yield 17/6 a night). In one of these, all the girls interviewed were prostitutes; and the committee recommended the creation of a better kind of lodging house, for girls up from the country seeking work, where they would not so easily gravitate to prostitution (ibid., p.13).
4. This was the only park which did not shut at sunset.
5. F.C.G.A.P.& D., 1871, p.29.
6. Ibid., p.24.
7. Ibid., p.28.

Subsequent reports from these Synods again showed no very clear pattern except that in the late 'seventies and 'eighties returns from the Synod of Argyll continued to bear witness to the relatively higher level of Highland piety. Reports from Kintyre and Islay in 1879, and Mull in 1888 also claimed that family worship was general - which it also was 'and on the increase',[1] in Fort William, while in South Ballachulish it was 'universal among communicants, but among others not certain, though the session bring them under promise to hold such when receiving baptism'.[2] Farther South, however, Sessions were much less certain about the people's habits. In the Presbytery of Lanark in 1873, and Hamilton in 1880, many elders were unable to say anything about the extent to which family worship prevailed. But it was thought to be rare. The Hamilton elders in fact had not thought of asking people about it, but resolved to mend their ways. Only the parish of Blantyre in this Presbytery reported that family worship was better maintained than hitherto. There had been a revival there - but even so, many people still neglected family worship, and there was far too little family catechising. In a report of 1879, the Presbytery of Paisley blamed the fact, that things were not as they formerly had been in this respect, on the state of modern social life in towns. But this, they added, did not necessarily mean that individuals neglected private prayer. Glasgow, for the most part, admitted either to family worship not being general, or not being so general as it once was, or to vague elders. In two of the city's congregations however it was general, in one it was even common, and in the Free Barony it was not extensively practised except on Sunday evenings, 'when the children are pretty generally gathered together for religious exercises, and more or less of catechising'.[3]

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1. F.C.G.A.P.& D., 1888, R.& M. Report, p.40.
2. Ibid., p.41.
3. F.C.G.A.P.& D., 1881, R.& M. Report, p.28.

Among the Glasgow congregations reporting at this time (1881) only the Gaelic church claimed almost universal family worship among its members and adherents. The Gaelic church in Greenock reported the same, but others in that Presbytery were less sanguine. The Presbytery of Irvine, reporting in the following year, included returns from congregations in which it was more general, congregations in which it was declining, and congregations in which elders did not know what it was doing. In 1882 Dumbarton Presbytery thought that family worship and catechising on Sunday nights were both general. But back in the city, in 1891, a report from the North side of Glasgow 'feared that in many cases the exercise is reserved for Sabbaths'.[1] And in the following year, the Religion and Morals committee, presenting returns from the same area, remarked:

> 'Glasgow (North) ranges the whole scale from "in all of them, 2 with comparatively few exceptions family worship is observed, and in these a promise was given that it will be begun," to "fairly well-observed;" thence to "one half of the families", and thence to the depth of official nescience, if not family neglect, as shown by the words "cannot tell". We suspect that the last citation hits the mark in the centre. Did all ministers ... make personal inquiry everywhere in the course of pastoral visitation, or such inquiry where he felt in uncertainty they might ... meet with unexpected encouragement'. 3

1.5 The South-East.

During the early 'seventies neither the Synod Lothian and Tweeddale,[4] nor the Synod of Merse and Teviotdale,[5] was very forthcoming about the subject of sexual behaviour. In the former: the Presbytery of Biggar and Peebles reported that 'there has not been anything peculiar or deserving of special notice for the past few years';[6] that of Haddington and Dunbar that

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1. F.C.G.A.P.& D., 1891, R.& M. Report, p.47.
2. I.e. the housholds of the congregation being quoted.
3. F.C.G.A.P.& D., 1892, R.& M. Report, p.7.
4. Vide F.C.G.A.P.& D., 1870, R.& M. Report, pp.10ff.
5. Vide F.C.G.A.P.& D., 1873, R.& M. Report, pp.39ff.
6. F.C.G.A.P.& D., 1870, R.& M. Report, p.10.

> 'the ordinary forms of immorality in the shape of drunkenness, uncleanness and Sabbath desecration, though not materially diminished are not on the increase'; 1

and the Presbytery of Linlithgow blamed an increase in 'drunkenness and immorality (uncleanness)'[2] on social demoralisation in areas where there was Sunday work at public paraffin and oil works.

The Synod of Merse and Teviotdale did however make one rather surprising addition to the usual comments on this subject. The Synods of Dunse and Chirnside, Kelso, Jedburgh and Selkirk had all alluded to the number of cases of discipline dealt with by Free Church congregations. But while the first of these claimed that the number was decreasing and expressed the hope that this was 'an indication of a higher tone of moral feeling',[3] Kelso admitted that the 'humiliating' practice of uncleanness was 'infecting even the congregations of the Church';[4] Jedburgh that, although church members were improving, one Hawick congregation was painfully afflicted with ante-nuptial fornication,[5] and Selkirk that cases were more frequent in Galashiels as a result of people coming to the congregation from country districts, some of them already under discipline. But perhaps the Synod was able to extract a crumb of comfort from the observation of this last Presbytery that people who attended no church were both less temperate and less moral than church people.

One of the reasons again given for the bad behaviour of non-churchgoers was the laxity of parental discipline among them. And this was contrasted, as

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1. Ibid., p.11. In this Presbytery concern was also expressed about the Yeomanry Races which, being held on a Saturday, led to 'much dissipation and the consequent desecration of the following day' (ibid.). Here, as elsewhere, the working classes were still too apt to go visiting on a Sunday: a practice which the middle classes were giving up, it was said.
2. Ibid., p.12.
3. F.C.G.A.P.& D., 1873, R.& M. Report, p.40.
4. Ibid., p.41. This Presbytery said much the same of intemperance. It too was also worried about Sunday visiting among farm servants.
5. Intemperance was also a problem within this Synod's bounds, but less so in country districts than in Hawick.

usual, with Free Church behaviour. The optimistic presbyters of Dunse and Chirnside thought - although they could not be sure - that family worship was becoming more common. At any rate ministers questioned parents who brought their children for baptism about whether or not they held it; and they gave 'such reproof or encouragement as the case requires'.[1] The Presbytery of Selkirk also reported that family worship was general in Free Church congregations; and from Linlithgow returns stated that its observance was increasing in areas affected by revivals, although 'in general, it is to be feared that this ordinance is rarely or irregularly observed'.[2] Both Synods were pleased with the spiritual state of domestic servants, who were described by the Presbytery of Selkirk as 'a very hopeful class',[3] and by the Presbytery of Edinburgh as 'in some cases ... the liveliest and most self-denying Christians in congregations'.[4]

Further reports concerning the state of morality and family worship were mostly confined to what went on in Free Church congregations. The Presbytery of Edinburgh, in 1878, reported that 'the sin of uncleanness, as regards those connected with the churches, manifests itself chiefly in the form of ante-nuptial fornication, but the cases of this are few'.[5] And, two years later, the Presbytery of Jedburgh claimed that it had effectively employed a scheme for putting those guilty of fornication on a year's 'probation' in the shape of suspension from church membership. This Presbytery had its troubles, however. It complained that young working people were too independent of parental control, and also that there was too much Sunday travel. The latter

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1. Ibid., p.40.
2. F.C.G.A.P.& D., 1870, R.& M. Report, p.11. Even, according to the Deputies writing in another report (F.C.G.A.P.& D., 1873, R.& M. Report, p.18) by many communicant members of the Free Church.
3. F.C.G.A.P.& D., 1873, R.& M. Report, p.43.
4. F.C.G.A.P.& D., 1870, R.& M. Report, p.10.
5. F.C.G.A.P.& D., 1878, R.& M. Report, p.16, ie. cases of discipline.

had been made possible by the railways, and farm servants were particularly guilty of it. Although there may have been some truth to their excuse that Sunday was the only day when they could visit old and sick relatives, the 'real reason' was their 'mere love of idle visiting and gossip'.[1] On the credit side however there was not only the conventional claim, made on this occasion by the Presbytery of Haddington and Dunbar in 1886, that immorality within the bounds was outside the congregations, but also the claim, made in the same year by the Presbytery of Kelso, that uncleanness' is not so prevalent as in the past, while the sentiments of the classes chiefly affected by it is undergoing a marked improvement'.[2] But no such improvement was seen in family worship. In 1873 and again in 1880 the Presbytery of Linlithgow reported that it was increasingly neglected, commenting on the latter occasion that young communicants needed to be taught the 'duty of cultivating the practice of audible prayer';[3] and in 1899 the Synod of Lothian and Tweeddale described family worship as 'the weakest point in the religious life of the Church'.[4]

1.6 The South-West.

The Synods of Dumfries[5] and of Galloway[6] gave few hostages to history. The former, after complaining about the prevalence of urban intemperance, made clear that the subject of its loudest complaints was the prevalence of illegitimacy. It lost no time however in making the usual point about Free Church congregations, and it was quick to observe that, although its illegitimacy rate was high, that of the neighbouring Synod of Galloway was fully 6.9 per cent. higher. The latter, however, did not answer back and confined itself

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1. F.C.G.A.P.& D., 1880, R.& M. Report, p.4.
2. F.C.G.A.P.& D., 1886, R.& M. Report, p.48.
3. F.C.G.A.P.& D., 1880, R.& M. Report, p.3.
4. F.C.G.A.P.& D., 1899, R.& M. Report, p.8.
5. Vide F.C.G.A.P.& D., 1871, R.& M. Report, pp.7ff.
6. Vide F.C.G.A.P.& D., 1873, R.& M. Report, p.45.

to observing that, within its bounds, the amount of uncleanness and the number of discipline cases, together with the amount of drunkenness and the number of public houses, was alike diminishing.

The Synod of Dumfries included, among its recommendations on what to do about illegitimacy, a plea for better control of the young and servants by parents and masters; and here, as in Moray, while nothing was said directly about the influence of courtship customs, the Synod recommended that 'opportunities of honourable courtship' should be 'afforded, and stolen interviews discountenanced'.[1] It also however ventured the observation that 'the general testimony is that this evil is diminishing among us very considerably'.[2]

Whether or not any general improvement in sexual morality took place in Galloway during the 'eighties was not clear: in 1884 the Presbytery of Stranraer reported that illegitimacy in Wigtown was as bad as ever. It did however remark that it was 'hopeful', if also 'sad and almost startling' to hear 'in an upland parish, of the formation of a corps of the White Cross Army'.[3] This Presbytery, on the same occasion, and the Synod in 1899,[4] were at pains to point out the contrast between the prevalent illegitimacy of the area and the declining numbers of sexual cases dealt with by Free Church Sessions. But then, according to reports from the Presbyteries of Stranraer and Kirkcudbright in 1884,[5] the majority of the people within their bounds were connected with the Church of Scotland,[6] many of them being non-church-goers. An ex-Provost of

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1. F.C.G.A.P.& D., 1871, R.& M. Report, p.8.
2. Ibid.
3. F.C.G.A.P.& D., 1884, R.& M. Report, p.45.
4. F.C.G.A.P.& D., 1899, R.& M. Report, p.8.
5. F.C.G.A.P.& D., 1884, R.& M. Report, pp.44 and 48.
6. According to Howie (op.cit., p.36) within the bounds of the Synod of Galloway the population (in 1881) was 66,738, of which (in 1879) members of the C.of S. were 14,618; F.C.(including Gaelic adherents) 5,339 and U.P. 1963. By 1891 when the population of the area was down by 4,000, the C.of S. had gained about 700, the U.P.s 26 and the F.C. had lost nearly 300. The number of congregations were:
in 1879: C.of S. 45; F.C. 31; U.P. 13; others (in 1885) 20;
in 1891: C.of S. 45; F.C. 31; U.P. 14; others 22.

Kirkcudbright explained to the Assembly's Deputies in 1883 that although Galloway was 'still redolent of covenanting memories ... a sad declension from the evangelical teaching and religious fervour of earlier times had taken place'.[1] This had happened when 'the sore blight of Moderatism ... during last century fell on that once favoured district of Scotland'. Thus,

> 'when the day of trial came, the never-to-be forgotten 18th of May 1843, we need not wonder that of the sixteen ministers in the Presbytery of Kirkcudbright, three only were faithful to the cause of the spiritual independence of the Church and the liberties of the people, and threw in their lot with the Free Church of Scotland'. 2

On the subject of family worship Dumfries was reticent, remarking that the practice, 'it is hoped, is on the increase'.[3] On the same subject, Galloway was even more reticent, and said nothing at all.

2. Sexuality and Discipline in the Free Church: 1870-1900.

These regional reports then do not present a very clear or consistent picture of Scottish sexual behaviour or of Free Church discipline. Some features, however, recur more regularly than others, and these, together with some comments on them, and on some related themes, may be noted here.

2.1 Discipline and Morality.

One of the most frequent claims made in the returns was that Free Church members and adherents were more moral than the rest of the population. Of course not all Free Church members were held to be blameless, as returns from Shetland,[4] the Synod of Aberdeen,[5] and some Border Presbyteries[6] pointed out.

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1. F.C.G.A.P.& D., 1884, R.& M. Report, p.49 (The Deputies visited in 1883).
2. Ibid.
3. F.C.G.A.P.& D., 1871, R.& M. Report, p.7.
4. Vide 1.1 above.
5. Vide 1.2 above.
6. Vide 1.5 above.

But these were not typical, and even in these places nobody was supposed to believe that the mean of Free Church morality was as low as that outside it. Infrequency of discipline was the usual index of this, and any suggestion that it might not be a good index was countered by the assertion that the Free Church's discipline was strictly maintained. Thus, the committee wrote in 1887, if Free Church morals were higher, then

> 'such a fact as this ought to be stated, and generalised from too, if facts warrant, without any ground being afforded for a charge of denominational Pharisaism'. 1

Towards the end of the century, however, the committee began to have doubts about this.[2] It began to have doubts even more about whether or not discipline statistics could be used as an index of the moral tone of the wider community. Writing in 1894, it asked whether the declining number of cases throughout Scotland really reflected a higher moral tone among the people - or simply the fact that the people would no longer stand for the exercise of discipline. Returns in the previous year had included such comments as 'offenders are less disposed to submit to discipline',[3] and 'little penitence or shame is shown by those who come before the Session'.[4] These complaints, the committee considered, 'would be echoed pretty generally by the Church'.[5]

2.2 Farm Servants.

A second feature of the regional reports was the Free Church's attitude to farm servants. This, as we have seen, was highly critical, and although

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1. F.C.G.A.P.& D., 1887, R.& M. Report, p.7.
2. Perhaps earlier, since in addition to what had been written by some Synods, the convenor of the Religion and Morals committee, in the debate on its report in 1876 (F.C.G.A.P.& D., 1876, Proceedings, p.14), 'did not further allude to the subject of illegitimacy than by expressing doubt as to the advisableness of holding evening services on Sundays in country districts'.
3. F.C.G.A.P.& D., 1893, R.& M. Report, p.12.
4. Ibid.
5. Ibid.

some ministers defended them, and others criticised farmers even more, the majority clearly took a very dim view of this class, in particular of their mobility, immorality and Sunday visiting. To clear its mind on the subject, the committee made a number of enquiries among ministers, farmers, and even 'in some cases'[1] farm servants, in a selection of what were considered to be typical districts: Aberdeenshire, East Lothian, Forfarshire, Galloway and the Upper Ward of Lanarkshire; and it presented its findings to the 1897 Assembly in the form of a report 'On the Religious and Moral Condition of Farm Servants'.[2] This report did something to soften the committee's attitude, just as the investigations of the Commission on the Religious Condition of the People did to that of the Church of Scotland during the same decade. The Religion and Morals committee reported, for example, that

> 'as a class farm servants are on the whole morally not worse than other classes of working people. The vices prevalent are such as might be expected among men and women placed in circumstances more favourable to the development of bodily than intellectual or spiritual strength. Their faults are those of youth placed amid strong temptations, while the checks to improper behaviour are fewer than in towns where people are more constantly under the public eye. When they settle down to married life, a very fair proportion of them become highly exemplary in conduct, sober, steady, self-respecting, attentive to the welfare of their families and highly esteemed by their employers'. 3

In view of all that had been said by Free Churchmen since 1858 about farm servants this was high praise indeed. Even what the committee said about their religious habits took on a more measured tone. It could not of course be denied that many of them claimed a connection with the Established Church, nor could the increase in non-church-going which had recently taken place among them, especially in Aberdeenshire, Lanark and Galloway. But from East

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1. F.C.G.A.P.& D., 1897, R.& M. Report, p.26.
2. Ibid., pp.26ff.
3. Ibid.

Lothian, the committee stated, reports were more favourable,[1] so all was not lost. Even the explanations given for non-church-going took on a different slant - for while the usual complaint about mobility was voiced, the committee, in accounting for the absence of farm servants from Free Church congregations, pointed out that this could to some extent be accounted for by the fact that the Free Church, in 1843, had been stronger in the towns than in the country, and that, since then, the population had been moving from the country into the towns. This, the committee implied, was scarcely something for which the Free Church could be blamed.

Turning to the question of rural morality, the Committee was again rather less pessimistic than its predecessors had been. As usual it emphasised the sobriety of farm servants (except at feeing fairs)[2], and stated that 'the darkest blot on the moral character of farm servants is the prevalence of the sin of fornication'.[3] But it emphasised that this varied from area to area, and that while some districts were scandalous, in others the behaviour of farm servants was as good as that of any other class. And even in the notorious areas things were changing for the better. During the seventies, it had been alleged of many parts of Aberdeenshire, for example, that

> 'the standard of morality among farm girls was terribly low; that it was so common a thing to be known as the mother of an illegitimate child that it scarcely involved any loss of character and was no bar to finding another situation or even to being married'. 4

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1. Reports from 17 farms suggested that each one was different. On four, church attendance was as high as 80 to 100 per cent., even if this did not imply total regularity of attendance. On the remaining 13, it was either irregular or non-existent. But on at least one of these all the families were Roman Catholics, while on another one in five attended the Free Church.
2. Like the Commission on the Religious Condition of the People it was also concerned about the licensed grocers' vans.
3. F.C.G.A.P.& D., 1897, R.& M. Report, p.27.
4. Ibid.

But then in 1881 Lady Aberdeen had founded The Haddo House Association, later restyled The Onward and Upward Association, which, aiming to improve the farm girls' morals, had met with success in many parts of the county. And even if there still were some areas where unchastity was taken lightly and where 'the better sort of girls'[1] would not work on farms, progress was being made.

The committee also found ameliorating factors in Galloway. It quoted 'one of the largest and most experienced farmers in Kirkcudbright' as saying:

> 'Immorality certainly exists, as the illegitimacy returns indicate, but I do not think this is a true gauge of general impurity. My observations lead me to the conclusion that this is to a large extent a hereditary sin. It can be traced through certain families. Very often a woman may have three or four illegitimate children, and the average is consequently raised'. 2

This was of course a view also recorded in contemporary Church of Scotland investigations in this area,[3] as was the same farmer's opinion that unmarried female farm workers, who had been let tied cottages after having had to leave domestic service because of pregnancy, had an 'abandoned attitude' and were 'too often a temptation to young men in the district'.[4]

Although the committee was more inclined to see improvement and some ameliorating and exculpating factors than its predecessors had been, it was no less anxious to find causes and dispense remedies for rural unchastity. But even in this the committee was adopting a softer approach to sinners, and was increasingly recognising the influence of environmental factors. In explaining the poor state of religion and morals in some districts, it pointed to 'the breaking up of old habits of church attendance'.[5] Churchgoing, it observed, 'like many other good things is largely a matter of habit and the

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1. Ibid.
2. Ibid.
3. Vide Ch.6: 4.2.3, above.
4. F.C.G.A.P.& D., 1897, R.& M. Report, p.27.
5. Ibid., p.28.

habit once lost is not easily recovered'.[1] Thus, in Wigtownshire, for example, the rapid expansion of dairy-farming connected with the local cheese-making industry had led to the employment of large numbers of farm servants on Sundays. But when, with improved methods, such employment was no longer needed, neither the farm servants, nor their children (who had been allowed to play at home or in the fields on Sundays) resumed the church-going habit.

Factors more directly related to sexual behaviour were mentioned by the committee when it gave an account of how illegitimacy came about. It was described as a 'drift into evil' by young women, in bad circumstances on farms and among bothymen:

> 'They begin life at an early age with no knowledge of the temptations awaiting them. They are without a reverent and hallowed consciousness of all that is involved in the words 'love', 'betrothal', and 'marriage' and 'home', and are accustomed to hear such matters joked and chaffed about. And so, full of the high spirits of youth, with no definite aims, unaccustomed to self-control, they do as others do. They do not mean to do anything wrong, but simply to take what amusement they can, and courting is an amusement, and they go into it as into a dream, from which they awake too late, to find their lives forever overshadowed with a dark encumbrance'. 2

This more sympathetic (if no less paternalistic) view of the erring girl was paralleled by increasing ecclesiastical criticism of the middle classes and even of the churches themselves. The rigid social distinctions of rural life were criticised by the committee when it wrote that

> 'on many farms the ploughmen have become <u>pariahs</u> to the farmer. The farmer's family cannot associate with them without risk of moral injury and they, feeling themselves suspected and shunned, become reckless and indisposed to improvement. There is little hope of rising in the social scale to encourage aspiration and encourage self-control. More dreary even is the prospect for the women. Unless they are married, they must remain drudges to the end of their lives and so

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1. <u>Ibid</u>.
2. <u>Ibid</u>.

> they are tempted to sink their modesty, and throw themselves to the ways of men'. 1

The nature of the farm servants' work, which was heavy and did not lend itself to the encouragement of 'mental pursuits', made them even less inclined to spiritual things. But even if they had been so inclined, observed the committee, 'no one church in the land bulks large enough to have a strongly attractive force'.[2] Being a Free Church committee however it could not resist a side-swipe at the Establishment, and blamed both Moderatism in the past and lax standards of discipline and of membership in the present Church of Scotland for the nation's moral ills.

The committee's remedies were almost too familiar to need reproduction here: farmers should do more for their servants. (One Kirkcudbrightshire farmer reported: 'I have found on more than one occasion, when I perceived young men tottering on the brink, that a solemn private warning produced a most extraordinary amendment'.[3]) Ministers should visit farms more often and speak out about sin. (One minister commented: 'From my own experience, I can say that veiled hints are not sufficient. The people are accustomed from their youth with the plain unvarnished phraseology of sexual concerns'.[4]) Special missionaries and Bible women should visit farm servants and the women; young men should be encouraged to form Mutual Improvement Societies; young women should be recruited to such bodies as the Girls' Friendly Society and 'The Upward and Onward Association';[5] the Established Church should improve its discipline. Given these things the committee was not totally pessimistic, since

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1. Ibid.
2. Ibid., p.29. The committee based this assertion on the assumption 'that bodies attract in proportion to their size'.
3. Ibid.
4. Ibid.
5. Ibid., p.30. The committee seems to have been uncertain about which direction had priority.

> 'In our rural population we have splendid raw material, some of it very rough and rude, but the finished article, if the material could be rightly handled, would amply repay a large expenditure of money and labour'. 1

2.3 Other Sinners, Other Sins.

Farm servants were not of course the only class which this committee criticised, nor was immorality the only sin. Other sections of the working-class (but rarely of the middle- or upper-class) population were taken to task by it. The committee was also concerned with other sins, especially drunkenness (the vice of the towns, fishermen and Highlanders), profane swearing (the schoolboy's vice) and 'promiscuous dancing' (a vice complained of by Northern Presbyteries in particular - although in 1886 the committee told them that the 'mere prohibition of gaiety is no remedy'[2]). Then, in the mid-'nineties, the committee began to take note of athletics, which it viewed with some ambivalence, since while they were not per se sinful, they could be accompanied by sin. As Professor Sir George Adam Smith of Glasgow, approving the committee's report in 1895 put it, not without some verbal gymnastics:

> 'the report told them that contemporaneously with a decrease of immorality there had been an increase in certain forms of athletics, especially of football and bicycling. For his own part, he should like to have had some evidence whether there was any connection between these two subject. He had a strong impression that there was a distinct and arguable connection. (Slight applause) These movements, no doubt, among the young men were attended, as they could not be but attended, with very great and singular temptations; but he felt that all movements which drew youth out for bodily exercise to the open air, and encroached upon and occupied the time that would otherwise be spent in mere loafing, might be heartily welcomed by religion as her allies in the reduction of the vice of the nation'. 3

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1. Ibid.
2. F.C.G.A.P.& D., 1886, R.& M. Report, p.16.
3. F.C.G.A.P.& D., 1895, Proceedings, p.79.

2.4 Cheap Literature and Morality.

Something which the Free Church did not see as an ally, and which the committee also dealt with during this period, was cheap literature. Reports from at least two Synods[1] had expressed concern about this, and in 1899 the committee presented the Assembly with a special report on the subject. This report may be mentioned here since the committee believed that literature of this kind had some effect upon the morals, including the sexual morals, of young people. The Free Church had of course long been anxious about what the people read. It had, in the early 'sixties, attacked Norman Macleod for his attempts, in Good Words, to produce a popular periodical with a wide mixture of religious and secular topics.[2] But now it was concerned with what it viewed as a considerable change in the reading habits of the population - a change which had taken place, in its opinion, since about 1870, as a result of the abolition of the paper duty on the one hand, and of the introduction of the School Board system on the other. Cheap light literature of the kind with which the committee's 1899 report was concerned, was, in its opinion, 'at once an index to the tastes of a people, and the most powerful factor in the formation of these tastes'.[3]

It is clear from what the committee chose to include in this report that its concern was with what was read by the working classes. It specifically excluded books, intellectual and improving magazines and periodicals of the kind which might be read by the middle classes,[4] and concentrated upon 'the

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1. Moray and Perth and Stirling: vide 1.3 above.
2. Vide D. Macleod: op.cit., pp.292,301 and 320ff.
3. F.C.G.A.P.& D., 1899, R.& M. Report, p.27.
4. The committee specifically excluded 'such well-known and high-class papers as The Graphic, The Illustrated London News, Black and White, The Navy and Army, The Gentlewoman, The Ladies' Pictorial, The Ladies' Field and others of that class; 'as well as 'the various illustrated penny newspapers, after the model of The Daily Graphic' (ibid., p.28). Punch, which had 'taken and maintained so high a standard on all questions of morals and social ethics' (ibid.), was also excluded. The papers to which the committee alluded were not mentioned by name.

lighter papers, chiefly weeklies, which circulate among the masses'.[1] Of these, it wrote:

> 'Much of it is painfully vapid, foolish and inane, fitted to destroy the sense of the seriousness of life, and to prevent healthy development in those who make it the staple of their intellectual pabulum, but the great mass of it does not directly pander to the lower passions of human nature. There are exceptions to this rule; but, on the whole, there is reason for thankfulness that the censorship of public opinion prevents the inundation of the country with literature offensive to moral purity. To this remark it must, however, be added that it is a matter of regret and anxiety that in so many of the papers that exist chiefly for the amusement of their readers, love and matrimony are so frequently made the subject of witticisms, and that jokes and drawings are made piquant by allusions and suggestions which are hurtful to that reverence for womankind which is the strongest natural bulwark of morality.' 2

The committee's main criticism of these papers then, was that although they sometimes contained 'an immense amount of interesting information', this was presented only in the form of 'isolated facts' and in such a way that it produced 'a distaste for more solid reading, and even a mental incapacity for continuous thought'.[3] On closer examination, it found four classes of such papers: Illustrated Papers, Comic Papers, Sporting and Athletic Papers and Novelettes. The second and third of these classes were not associated with any corruption of sexual morals. Comic Papers ('Their name is legion. Their circulation is enormous') were, 'with very rare exceptions ... free from anything morally offensive'.[4] Nor was it 'in itself an unhealthy sign that there should be a demand for literature whose primary purpose is to amuse'.[5] After all, 'God has given to some men wit, and to most an appreciation of humour,

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1. Ibid., p.28.
2. Ibid.
3. Ibid.
4. Ibid., p.29.
5. Ibid.

and it cannot be His will that these gifts should be either discredited or too severely repressed'.[1] But if God had given these gifts to the writers and readers of the Comic Papers, his action was not altogether to the committee's taste: 'Jokes and illustrations alike are often of a coarse and vulgar order, and humour trivial and sapless'.[2] It was of course this triviality, in the committee's opinion, which made these trashy comics so popular, especially among young people, many of whom, it alleged, read little else. And since triviality tended 'to destroy seriousness of thought, to check intellectual development, and generally to deteriorate the moral nature',[3] it would be better if ministers and others could wean young people from them by providing them with better papers such as Chums and the Boys' Own Paper. How they were to do this was not made entirely clear. In view of the committee's belief that young people who were connected with the church avoided light literature,[4] it might have been difficult.

The committee's criticism of the Sporting and Athletic Papers was directly related to the amount of information these - of which there were a great number - gave to their readers about betting and gambling. They did not however compound their guilt like the daily newspapers, which, with a few exceptions, published hints and tips on the subject, and then 'in their leaders ... from time to time, useful homilies on the folly and evil of gambling'.[5] The problem was a serious one, for

> 'It is not only that amongst the wealthier classes large sums of money are passed in connection with events on the turf, and fortunes squandered in gambling; but people with moderate incomes, clerks in business houses, and thousands of youths, caught by the fascination and excitement of transactions in which there is an element of chance, are amongst the victims of this immoral and ruinous system'. 6

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1. Ibid.
2. Ibid.
3. Ibid.
4. Ibid., p.27.
5. Ibid., p.30.
6. Ibid.

Gambling and betting had of course been a concern of this committee for some time, alongside its concern with sports and athletics, and in the consideration of Illustrated Papers the dangerous side of the latter was emphasised with special reference to boxing. Many of the Illustrated Papers reviewed by the committee were concerned with the heroes of 'the fistic ring' and dealt with the subject in such a wealth of technical detail as to imply 'an intimate familiarity with the mysteries of that debasing form of sport',[1] among their readers. No better, however, were those other Illustrated Papers which carried portraits of heroines of the music hall. These they 'referred to in terms of admiration and endearment, carefully framed to arouse the curiosity and foolish endearment of thoughtless youth'.[2] The Illustrated Papers were farther criticised because:

> 'Among the news, a large space is given to sensationally written accounts of all sorts of tragical events - assaults, murders, burglaries, suicides, et hoc genus omne. These are illustrated by pictures of the blood-curdling sort, often coarse in art, but always hold and graphic. Divorce cases are reported with a revolting minuteness of detail. A perusal of some of these papers, which bear the word "Police" in their titles, is almost fitted to produce the impression that the law courts of this country are exclusively engaged with applications for divorce, with cases of assaults on women, and with the trial of murderers, whose violence is instigated by lust'. 3

But if these seemed bad, there was a worse class still. The committee had also uncovered a couple of papers, one claiming a weekly readership of 100,000, which were decidedly immoral. In these papers, the committee wrote:

> 'The illustrations are artistic in execution, but often grossly indelicate in suggestion. Advertisements which cover several pages are almost exclusively of a questionable nature - foreign books and pictures, whose titles at least suggest

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1. Ibid., p.28.
2. Ibid., p.29.
3. Ibid.

> obscenities, and appliances which lend themselves to the protection of the immoral, the advertisement of which has been recently pronounced criminal in a court of law'. 1

Fortunately, the committee reported, such papers were few.

Novelettes or "Penny Dreadfuls", the committee's fourth class, were more abundant and had 'a powerful attraction for the very young and the imperfectly educated'.[2] They were however pretty harmless. A member of the committee who, on its behalf, had read a number of them, commented that 'no moral lessons can be drawn from them, except that the villain is sure to be overtaken with punishment, and that iniquity does not prosper'.[3] Otherwise:

> 'The subject-matter is highly sensational and exciting. There is a profusion of sentimentalism, and high-falutin, and of desperate blood-curdling incident; but there is a noticeable absence of immorality, in the usual sense of that word. The Society Novel, with its sickening and corrupting dissection of the grosser passions, and its detailed narratives of conduct subversive to the laws of purity, stands on a very much lower level than the most vapid of the penny stories'. 4

The absence of impurity was not enough to satisfy the committee, however. The sensationalism of the novelettes, it believed, tended 'to fill young minds with ideas of a falsely romantic order', and it went on to advise teachers and others to encourage young people to read 'the abundant issue of classical stories, and other standard works' which were available 'at prices almost nominal'.[5] It also commended healthier versions of the penny or halfpenny type of publications,

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1. Ibid. There were a number of trials relating to the publication and advertising of books and pamphlets giving advice on contraception in the second half of the nineteenth century. The most famous was the Bradlaugh-Besant trial of 1877 (vide J.A. and O. Banks: Feminism and Family Planning in Victorian England, 1964, pp.87ff.). Other trials took place in 1891 and 1892, (vide P. Fryer: The Birth Controllers, 1965, p.191). This is the only reference I have found to contraception in 19th century Assembly reports.
2. F.C.G.A.P.& D., 1899, R.& M. Report, p.31.
3. Ibid.
4. Ibid.
5. Ibid.

which were produced specially to counteract the influence of the others.

But on the whole the committee was pleased to find 'in the ephemeral literature of the day so much that is clean and wholesome, and so little, comparatively, that is vicious and debasing'.[1] Looking back, in the following year, in its report to the last Free Church Assembly, the committee expressed satisfaction with this and its various other special and general reports since its inception in 1860. It noted also, without comment, its interest, 'as far back as 1877' in the religious and moral condition of farm servants, 'a class, with exceptions in certain parts of the country ... represented as having become estranged from public worship, and as being specially guilty of breaches of the Seventh Commandment'.[2] But then it turned its face to the future, reporting from current returns 'that cases of discipline are infrequent and that impurity is not so common as it was',[3] and declaring that 'in its work amongst the Young, anxiety is balanced with encouragement'.[4] Among the Synod reports for this year came one from Glasgow and Ayr, stating that 'what is needed more than anything is a revival of family religion':[5] and to this subject we must now return.

3. Family Religion.

3.1 Parental Authority and Family Worship.

It is clear from what was written in the regional reports that the Free Church found it extremely difficult to know how well or how badly family religion was maintained throughout Scotland. In considering immorality it was able to turn to the Registrar's statistics and even to Session records for a yardstick,

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1. Ibid.
2. F.C.G.A.P.& D., 1900, R.& M. Report, p.3.
3. Ibid., supplementary report, p.1.
4. Ibid., p.2.
5. Ibid.

however unreliable these, and particularly the latter, may have been for its purpose. But as far as family religion was concerned, it was in the dark.

The Religion and Morals committee admitted as much. In its report to the 1883 Assembly it noted that

> 'as to family religion, while many families are in the habit of observing it, office bearers were often unable, when the question was put to them as to the regularity of its observance, to answer with any degree of certainty; their fear was that in too many cases it was neglected or only very partially observed by even the membership of the Church. This is a subject which calls for more earnest inquiry, and more faithful consideration on the part of the eldership of the Church'. 1.

The eldership however was either unwilling or unable to fulfill this request, and the mood of uncertainty tinged with pessimism persisted. In its 1899 report the committee thought that it might have found a reason for the elders' difficulty. In the course of a discussion on 'The Family' ('the Church in miniature', whose worship and discipline determined those of the congregation as a whole) it made the following rather plausible observation:

> 'In former days, family worship, we are given to believe, was general, and its observance came to be an index of Christian respectability. This tradition has come down to us; and to question any church-going person whether he observes family worship is almost equivalent to asking him if he is a respectable man. We believe this lies at the root of the ignorance of our elders whether this duty is observed in the families of their districts or not.' 2

But whatever the truth of this assertion, it was not simply family worship which had declined, but the whole fabric of the religious upbringing of the young. The Sabbath Schools, according to the 1883 report, were 'accepted as a substitute for the home training of children',[3] and even if some parents had substi-

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1. F.C.G.A.P.& D., 1883, R.& M. Report, p.5.
2. F.C.G.A.P.& D., 1899, R.& M. Report, p.9.
3. F.C.G.A.P.& D., 1883, R.& M. Report, p.5.

tuted questions about what their children had learnt in Sabbath-school for the older tradition of family catechising, many other 'easy-minded' parents, the committee observed in 1885, left the whole matter entirely to the Sabbath schools. Otherwise, they might have been involved in 'effort, thought and, at times perhaps, a collision of wills'[1] - something which they obviously sought to avoid. Because of their 'growing mental and spiritual indolence' such parents

> 'seldom meet their own children on the platform of conscience, and deal less directly with them through the word of God. And where parental authority lacks the habitual support which the personal instructing of a child in the things of God gives it, then filial obedience comes to be more a thing of sentiment than of principle; the outcome of short-lived fear rather than of a life-long reverence'. 2

Such relaxing of 'the bonds of family discipline and parental authority' was, the committee regretted to say, 'a feature of the age'.[3]

Or was it? The committee was after all not so sure that the past actually was better than the present in these respects. Were reports of a decline in parental authority 'based on actual knowledge', or were they 'impressions merely - impressions due a good deal, perhaps, to the changing standpoint which the years bring, placing us no longer among those under that authority, but among those who exercise it'.[4]

Agnosticism of this kind, however, tended to be ill-sustained by the Free Church; and in its reports of 1886, 1887 and 1888 the committee was again demanding more family worship and greater parental control, and blaming the better education and greater independence of young people for their lack of respect for parental authority. Yet once again, in 1889, the questioning note

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1. F.C.G.A.P.& D., 1885, R.& M. Report, p.9.
2. Ibid.
3. Ibid.
4. Ibid.

returned, when the committee stated apropos of a statement alleging declining parental control, that 'we have not the means of judging whether this state of things is very general, or on what the statement is based'.[1] On this occasion the committee even went so far as to venture the opinion 'that the control of former days is neither possible nor desirable in these'.[2] But, it added,

> 'while some relaxation may not be wholly evil, anything indicative of lawlessness, undutifulness, disobedience or disrespect, is only to be deplored. When the hearts of the children are turned against their fathers, the hearts of the country will be turned against God. The prosperity, the very life of the Church is bound up with the maintenance of the sacredness of all the family relations'. 3

Further complaints, in a similar vein, were recorded during the nineties. In 1890, 1895 and again in 1899 there were reports of declining parental authority, in the first case with special reference to fishermen, whose long absences from home were held responsible. In all except the Highland returns, wrote the committee in 1899, 'a very grave note runs through all the Reports as to home training'.[4] Youthful bad language, on the one hand, and parents' tendency to leave religious instruction to others, on the other, were specially mentioned. As far as family worship was concerned, things were no better. In 1893 the committee reported on the 'sad truth' that 'the observance of family worship is rapidly dying out'.[5] This was bound, 'by degrees', to produce 'a blighting effect on the spiritual life of the Church'.[6] But still, according to the reports of 1894, 1897, and 1899, it declined. Only the report of 1895 for some reason was more hopeful, remarking that it was general. One thing alone seemed certain amid the flux. Family worship remained universal

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1. F.C.G.A.P.& D., 1889, R.& M. Report, p.9.
2. Ibid.
3. Ibid.
4. F.C.G.A.P.& D., 1899, R.& M. Report, p.8.
5. F.C.G.A.P.& D., 1893, R.& M. Report, p.6.
6. Ibid.

in the Highlands. This conviction was expressed by the 1895 and 1899 reports, the latter quoting the Synod of Ross, which, although regretting that its adherents stoutly refused to become communicants, had expressed thanks to God 'that in the Highlands at least family worship is not a thing of the past'.[1]

Who really knew what was happening? In its final report the committee summed up visits to the Presbyteries of Alford, Brechin, Dunoon, Edinburgh, Forfar, Islay, Kincardine-O'Neil and Paisley - a fair cross-section - with a set of appropriately conflicting answers:

> 'The reports regarding religion in the family vary considerably. In some cases they are favourable: that "family worship is still well observed," "pretty general", "regularly observed on Sabbaths", "generally observed". Other reports are not quite so favourable: "Family worship very common, though probably falling off"; "only in a part of the congregation is family worship observed". A few reports refer to the exhausting and irregular hours of labour and the general conditions of city life as rendering the outlook for family worship not so hopeful: "family worship not what it was long ago". 2

3.2 A Holy Willie Prayer Book.

In an attempt to repair the bulwarks of the family the Free Church eventually decided to issue a book of family prayers. This was done as the result of an overture to the Assembly of 1891 from the Presbytery of St. Andrews and on the recommendation of the Religion and Morals committee. It was not done, however, without misgiving, nor without heated debate in the Assembly. Even those, like the Reverend Duncan Macgregor of Elie, who believed that 'such a manual as was proposed would pave the way for many who felt difficulty in the matter', were forced to admit that

> 'when they thought of The Cottar's Saturday Night,

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1. F.C.G.A.P.& D., 1899, R.& M. Report, p.8.
2. F.C.G.A.P.& D., 1900, R.& M. Report, p.6.

> they would feel it would have come as a strange thing if the head of the family had been represented as producing a prayer-book'. 1

And this Burnsian allusion was taken up by the Reverend John Telfer of Glasgow who declared, with more zeal than literary or grammatical accuracy, that the 'Church was considered by some to be a sort of "Holy Willie," and he thought the shade of Burns might suggest they should have a "Holy Willie prayer book"'.[2] With heavy irony Mr. Telfer went on to suggest that any moment now there might be 'a request to a committee to give an opinion on the proper sort of praying mats to use, whether they should be plush or cotton'.[3] Indeed, he claimed, the Assembly 'would find it not very long before there would be a motion for a liturgy in the pulpit'.[4] The Assembly, however, did not seem to be over-anxious about this possibility, and its members, denying themselves the indulgence of continuing with this piece of provincial knockabout, smothered Mr. Telfer with cries of 'Order' and 'Shame'.[5] He was not, however, the only objector. Another speaker claimed that the Directions for Family Worship issued by the General Assembly in 1647 were quite adequate: 'cultured men would object to read prayers' and the proposed book would 'be an unworkable thing among working people'.[6] Further objectors claimed that read prayers could not possibly come from the heart, and that the real problem was that servants no longer shared in family worship.

Despite these misgivings and objections the Assembly agreed to produce

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1. F.C.G.A.P.& D., 1891, Proceedings, p.259.
2. Ibid., p.261.
3. Ibid.
4. Ibid.
5. Mr. Telfer had already antagonised some members of the Assembly by declaring his fears that this 'wretched prayer book' would be used by men like captains of steamers. Having 'seen a good deal of life on board steamers' he did not favour the idea of such people 'reading prayers from a prayer book on Sunday' when they had been 'employed in cursing during the week' (ibid.). This produced an immediate response from an ex-Lord Provost (of Glasgow, I think), who was applauded for interjecting with the remark, 'I wish to say that there are no such commanders on our steamers' (ibid.).
6. Ibid.

the prayer book. Clearly it believed that the situation was desperate enough to justify desperate remedies. As Sheriff Guthrie Smith, the last speaker in the debate put it:

> 'In Roman Catholic countries family virtue was preserved through the medium of the confessional; but in Scotland they had not that, and therefore it was all the more necessary that the Church should redouble its energy in this direction by the restoration of family religion'. 1

In his view, the proposed book would help towards this end. That it did not, seems from this distance pretty clear. In the short-term, what had happened to family worship since 1850 is more obscure. The impression given by the Free Church at the end of this period, that it was now rather more willing to settle for family worship once a week rather than twice a day, suggests that some falling-off in the practice had in fact taken place in the meantime. But the Free Church's greater willingness to compromise was also in part the result of its greater sensitivity to the adverse pressure of conditions of life and labour on those whom it wished to see at prayer. These pressures had, in many cases, been in existence for a very long time.

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1. Ibid., p.262.

CHAPTER EIGHT:

THE U.P. SYNOD.

In 1900 the Free Church and the United Presbyterians united, after a long and uncertain courtship. Free Church pronouncements on sex, marriage and the family prior to that date have already been discussed at length in this part of the present study, but little has been said about those of the U.P. Synod. The reasons for this are, firstly, that the U.P. Synod, as we have already noted,[1] tended not to discuss the subjects with which this part of the study is concerned, or at least not at any great length; and, secondly, that those aspects of sex, marriage and the family which it did touch upon will be more appropriately discussed in our second part, which deals with the question of prostitution. Before looking at what the new U.F. Church had to say, however, we can note here briefly one or two points raised in the U.P. Synod, which do not fit in with the concerns of parts two or three.

1. Questions about Divorce.

Unlike the Free Church and the Establishment, the U.P. Synod discussed divorce during this period, albeit only on two occasions. The first of these was in 1853, when the Session of Broughton Place U.P. congregation in Edinburgh brought an overture on the 'Separation of Christian Spouses' to the Synod. The debate was about whether, in the light of Scripture (Matthew, 5:31,32; Matthew, 19:4-6; and 1 Corinthians, 7:10,11) and in view of the Confession of Faith's statement that adultery and wilful desertion were the only grounds of divorce, it was possible - as some United Presbyterians appeared to think - for Christian spouses to be permanently separated when neither of these grounds were provided. The debate may have concerned the discrepancy between Scrip-

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1. Vide Ch.3, 2.1 above.

ture (Matthew, 5:32), in which divorce was allowed only for adultery, and the Confession (Chapter XXIV:VI), which allowed the additional ground; or it may have had to do with the possibility, under Scots law, of divorce a mensa et thoro. This latter was a form of legal separation which, although in practice it was largely replaced after the Reformation by divorce a vinculo (divorce proper), still remained a possible alternative. It could be awarded if the normal level of cruelty in a Scottish marriage (which was not a ground for divorce a vinculo) escalated to a degree which the court considered harmful to the life or health of one of the parties. Which of these points - if either - the Broughton Place Session was concerned with in its overture is not clear from the Synod's records,[1] since no exact legal terms were used, and since the Synod in any case declined to enter upon the overture, 'on the ground that it craves legislation upon an abstract question'.[2] The Synod declined to enter on the overture despite a strong plea from the Session for guidance, in connection with problems of the exercise of discipline, 'on those points, in which the interests of society and the peace and purity of the Church are deeply involved'.[3] Perhaps, given the infinite obscurity of Scots Law, and the infinite capacity of ministers to get it wrong, the Synod was wise to decline.

The Synod's other allusion to divorce was made in 1891, when the committee on Public Morals, noting 'recent disclosures in the Divorce Court', expressed its conviction that

> 'any member of Parliament whose life is notoriously immoral, or who has been publicly convicted of offences against the moral law, is unfit to represent any constituency in this kingdom ... and ought at once to retire into private life'. 4

This statement, which clearly referred to the Parnell-O'Shea divorce case,

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1. U.P.S.P. (1853) pp.433ff.
2. Ibid., p.445.
3. Ibid., p.444.
4. U.P.S.P.(1891) p.231.

showed that there was one aspect of divorce at least on which the Synod did have a definite view. Its remarks had, however, rather more to do with conventional sexual morality than with divorce as such, and perhaps rather more to do with politics than sexual morals.[1]

2. Pastoral Advice on Impurity.

Although the U.P. Synod pronounced upon the sexual life of the lower orders much less frequently than either the Free Church or the Church of Scotland Assemblies, its pronouncements, when it made them, were not significantly different from theirs. A report of 1894, by its Church Life and Work Committee, for example, was concerned with 'the saddening state of morality in many of our country districts, the low tone of opinion in regard to purity, and the high rate of illegitimate births'.[2] It blamed this - as the other churches had frequently blamed it - on 'the absence of the home and of family life' as a result of 'the reduction of the number of crofts and cottages which has taken place in this generation', together with the 'distinct encouragement'[3] given to immorality by the bothy and farm kitchen systems. In the same report the Synod followed the example of the Free Assembly by emphasising its own strict discipline,[4] and by calling for some ecumenical action to deal with fugitives.

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1. Charles Parnell, the Nationalist Irish M.P., was cited as having committed adultery with Mrs. O'Shea, when her husband divorced her in November 1890. Parnell had in fact lived with her for the previous nine years, while he was at the peak of his political career, and the relationship was a stable one. The facts could not however emerge because Parnell and Mrs. O'Shea wanted the divorce and could not therefore contradict her husband's accusations. Coming four or five years after the divorce case in which Dilke, the Liberal politician, had been involved, there was much public indignation and the Irish party were forced by Gladstone and others to depose Parnell. In June 1891 Parnell married Mrs. O'Shea, and four months later he died. The U.P. Synod 'expressed its approval of the position Mr. Gladstone had taken' (ibid.). It took much the same line on this as the English Nonconformists and the Roman Catholic leaders. (Vide R. Ensor: England: 1870-1914, 1936, pp.183ff and 564ff.)
2. U.P.S.P. (1894) p.156.
3. Ibid.
4. Ibid., p.156: 'Indeed, in some districts our congregations stand out prominently as maintaining a high standard of discipline at the expense of comparatively small membership.'

One significant moment in the U.P. Synod's progress through this period, which may be mentioned here, was when its committee on Temperance and Public morals decided that the Synod should address a Pastoral Letter on Social Purity to its own membership. The Synod of 1886, to which it made this suggestion, decided against a Pastoral Letter as such, but agreed that a statement on the subject should be prepared by the committee and published in the U.P. Missionary Record.[1] In the event, the statement was written by the Reverend Andrew Thomson, minister of Broughton Place U.P. Church in Edinburgh, and was published in the Missionary Record in October 1887.[2] It was subsequently re-issued in a different form, widely circulated and referred to by the Synod of 1888 as 'the Pastoral Letter'.[3] It is worth examining critically here, since it shows, more clearly than most of the pronouncements of the period, the way in which the churches thought about the issues underlying their criticism of immorality.

The letter, entitled 'A Pure Life - An Address to Young Men' began by presenting its credentials. Paul had told Timothy to 'Flee youthful lusts',[4] and 'Keep thyself pure'.[5] If the apostle could say this to one who was such a faithful christian, then the church to-day, 'painfully alive to the increasingly sensuous spirit of the age, and to its baneful influence even within our own churches',[6] should follow his example and address young men in its families and congregations on the same subject.

The letter was divided into two parts, the first devoted to showing why uncleannes was evil, the scond, to dispensing good advice. Four types of argument were advanced in the first part, relating to: 1) scriptural condemnation of impurity; 2) its effects on the body and personality; 3) the body-

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1. U.P.S.P. (1886) p.60.
2. U.P. Missionary Record, Vol.VIII, No.X. (October 1 1887) pp.321-324.
3. U.P.S.P. (1888) p.1167.
4. 2 Timothy, 2:22.
5. 1 Timothy, 5:22.
6. U.P. Missionary Record: op.cit., p.321. The reference to 'churches' could have been a let-out for U.P.s.

argument; and 4) the effect on the partner in sin. The scriptural condemnations were intended 'to produce a more adequate sense of the evil of this class of sins'[1] - something which, as we have frequently noted, the churches thought very necessary. In the author's view it should have been

> 'enough to note the fact that this sin stands distinct, as the subject of special divine condemnation and prohibition "amid the eternal verities of the moral law" which "Christ came not to destroy but to fulfill".' 2

But in order to illustrate the point he cited four scriptural quotations - one from Proverbs and three from the Epistles.[3] These quotations, which no doubt seemed evidence enough for what he was writing to Dr. Thomson, do not however provide very certain foundations for saying that the sin of uncleanness, by which he presumably meant first and foremost fornication, was singled out for 'special divine condemnation'. The quotation from Proverbs is advice against adultery rather than simple fornication.[4] Nor do the quotations from the Epistles, although they make the Pauline attitude clear, substantiate the suggestion that this sin was specially sinful, or that this was the attitude of Scripture as a whole.

Dr. Thomson's arguments about the effect of impurity on the 'bodily and mental constitution' of offenders, signalled the dangers of 'this class of

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1. Ibid.
2. Ibid.
3. Proverbs, 7:27: 'Here is the road which leadeth down to the chambers of death'; Ephesians, 5:5: 'No unclean person hath any inheritance in the kingdom of Christ and God'; Galatians, 5:19: 'Now the works of the flesh are manifest, which are these, adultery, fornication, uncleanness, lasciviousness; of the which I tell you, as I have told you in times past, that they which do such things shall not inherit the kingdom of God'; and Colossians, 3:5: 'Mortify, therefore, your members which are upon the earth: fornication, uncleanness, inordinate affections; for which things' sake, the wrath of God cometh upon the children of disobedience'.
4. W.G. Cole (Sex and Love in the Bible, 1960, p.315) argues that the chapter is directed 'not against sexuality as such, but against squandering one's substance'. There is also a suggestion in verse 14 of criticism of, if not ritual prostitution, then at least religious hypocrisy.

sins' by stating that 'the recovery of those who have come under their dominion is rarer than in the case of most other forms of transgression', and that 'it is true of licentiousness more perhaps than of any other form of sin, that it exercises a peculiarly depraving and corrupting influence over the man's whole moral being'.[1] But here again the argument, although it may have seemed self-evident to the author and his readers, lacks firm foundations. Dr. Thomson made no reference to verereal diseases, which perhaps might have supported his case; and as an authority he cited not Scripture, but Burns: 'It hardens a' within, and petrifies the feeling'.[2] Burns of course was an authority on this subject. And no doubt there were many other men in nineteenth century Scottish society, from farm servants to peers, of whom this was a just description. But no doubt there were also many other men who had indulged in ante-nuptial fornication, of whom such a description was far from fair. The weakness of Thomson's argument here - which is also the weakness of almost all that was said on the subject by nineteenth century Scottish churchmen - lies in his failure to distinguish between different kinds of sexual behaviour and different kinds of persons. No doubt, in the climate of opinion created by the heavy moralising of ecclesiastics and others during this period, the fear, that any form of sexual activity, other than that directed to reproduction within marriage, was infinitely dangerous, produced the desired deterrent effect in many minds. But in the light of the churches' continued complaints about the low tone of public opinion on the subject, it seems likely that such moralising was sufficiently overdone for those whose own experience, or whose knowledge of others' actual or mythological experience, did not substantiate such claims, to disregard them.

The third argument used to demonstrate the evil nature of 'these sins of

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1. U.P. Missionary Record, ibid.
2. Ibid.

the flesh'[1] was derived from 1 Corinthians, 6:15-20, a passage in which Paul argues that the christian who has sexual intercourse with a prostitute becomes one flesh with her, thereby joining with her his body, which is a member of Christ and the temple of the Spirit. As used by Dr. Thomson this argument is also problematic. Thomson's argument was, that since the bodies of christians belong to God, and are thus sacred and to be used for God's purposes, the christian who falls into sexual sin does not only 'degrade and defile himself and rob God of his rights, but he defiles His temple and perverts it to the basest uses'.[2] Thus, Thomson wrote, there 'is not only sin but sacrilege. "And if any man defile the temple of God, him will God destroy"'.[3] The major difficulty with this argument is that at each stage in its development from the Old Testament to the nineteenth century, meanings are subtly changed.[4] The Old Testament idea of 'one flesh'[5] denoted the total union of two persons in the life-long marriage relationship, and not simply the isolated act of sexual intercourse, as Paul seems to have thought. But even in Paul's teaching, the primary reference (especially in the Corinthian context) was to prostitution - although Paul would probably have included promiscuity also under the same head. By the nineteenth century the reference had changed yet again, this time to include all forms of pre- and extra-marital sexual intercourse, and possibly, as we shall see in a moment, even masturbation. Impurity at this point therefore comes to mean all forms of sexual activity, with the Calvinist implication that even sexual intercourse between husband and wife is only permitted to be enjoyable[6] (and, in the nineteenth century, perhaps only permitted) because God covers it with a veil to prevent him seeing it. The

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1. Ibid., p.322.
2. Ibid.
3. Ibid.
4. Vide also Ch.1:2, above.
5. Genesis, 2:24, vide W.G. Cole: op.cit., pp.252ff.
6. Vide J. Calvin: Harmony of the Pentateuch, 1854 translation, vol.III, p.84.

crux of any criticism which may be made of the way in which the christian tradition developed then, lies in the shift of emphasis from ritual prostitution in the Old Testament, to prostitution and promiscuity in the New, to all forms of pre- and extra-marital sexual activity in the nineteenth century. The emphasis, in other words, has changed from the positive primacy of faithfulness to God and loving marriage-companionship, to the negative primacy of avoiding unregulated sexual activity at all costs. Purity is now defined primarily with reference to sexuality, and only secondarily with reference to religion. Or - if this point is contested - why was it that the body-temple argument was not adapted more frequently for use in connection with nineteenth century conditions of life and labour?

Dr. Thomson's fourth illustration of the dangers of impurity was to the effect that even if both parties did not 'perish in their unrepented iniquity' and even if 'the tempter' (Thomson assumed that this would be the man) 'becomes penitent' nevertheless he 'has no assurance that his victim has not passed onward to final ruin'.[1] Young men should not, in other words, rely upon the possibility of repenting after they have sown their wild oats, because, even if they did, 'a perpetual cloud of sadness'[2] might darken their souls evermore. By remarking, in this connection, that there was 'always an accomplice', but only 'in the more aggravated forms of this sin',[3] Thomson must, by implication, have included masturbation in his wider, or less aggravated, category.

The writer thus was concerned not with any technical virginity, but with purity in thought, word and deed. His aim was to prevent the young man 'who has hitherto maintained his innocency' from falling into a career of sin, in which, 'by an irreversible law of heaven, written not only in the inspired word,

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1. U.P. Missionary Record: op.cit., p.322.
2. Ibid.
3. Ibid.

but in your own physical and moral condition'[1] he would reap what he had sown - shame, sorrow, remorse and ultimately physical and spiritual destruction.

To avoid this fate young men must seek first 'true conversion to God', and then 'perfected salvation'.[2] With specific reference to the sexual dangers lying in their path, Dr. Thomson gave them five warnings. First they should flee youthful lusts by not allowing their minds 'so much as to look on the temptation' and by not allowing themselves 'to be placed in the midst of surroundings and circumstances, which, though not in themselves evil, are found, in practical experience, to be an inclined plane conducting to evil'.[3] Here, Dr. Thomson wrote, 'holy sensibility' was in order: in particular, young men should 'eschew the drunkard's haunts and the drunkard's cup'.[4] They should not, he said secondly, even think about subjects 'whose tendency is to inflame the passions and to pollute the soul'.[5] The 'hidden orgies' of the imagination were 'certain to quench the Spirit': for how could 'the holy dove consent to remain in a soul in which these obscene night birds are allowed to nestle'?[6] Dr. Thomson sympathised with those who had to struggle against such thoughts, but he emphasised the need to keep the struggle going and advised young men to keep such thoughts out by filling their minds 'with holy themes and with Christian maxims and motives'.[7]

'Sensuous novels' and 'pictures ... suggestive of evil',[8] were, according to Dr. Thomson's third warning, particular dangers in this respect. The former 'flood our literature' and 'appear to be written as apologies for vice'.[9]

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1. Ibid.
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid.
6. Ibid., p.323.
7. Ibid. This, wrote Thomson, was Pauline advice (Colossians, 3:16).
8. Ibid.
9. Ibid. He did not say which books he was talking about.

Even if 'some of them contain passages of beauty which reveal the hand of genius' was it, Thomson asked, 'wise to wade through a cesspool in order to pluck a flower?'[1] If any of his readers owned such books they should burn them just as the converted magicians of Ephesus burned their books of witchcraft. They should, he solemnly warned 'never have any book in your possession, which you could not read aloud to a mother or a sister'.[2] As for the pictures of those painters 'who employ their gift in pandering to vice and lowering the standard of moral living'[3] - they should be denounced, as they surely would have been by 'men like Michael Angelo and Fra Angelico, who were not ashamed to pray for divine help in producing their immortal works'.[4] Young men should avoid such paintings 'even though some should speak of you as a fanatic or a philistine'.[5]

Dr. Thomson warned the young men, fourthly, against 'indolence and brooding unsocial isolation' which were not only wrong in themselves, but which, because there were 'many points in our complex being in which the physical affects the moral, favourably or unfavourably', also tended 'to engender evils of a deeper hue'.[6] As an alternative, he commended 'manly exercises in the open air'.[7] For

> 'Athletic exercises in the open air, and in the midst of fanning breezes, not only benefit the body, but the mind through the body, and no good moral education is complete without them'. 8

Fifthly, Dr. Thomson wrote, young men should seek not only to avoid the sins of the flesh, but also to 'love and practise the opposite good', in this

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1. Ibid.
2. Ibid.
3. Ibid. Again unspecified.
4. Ibid.
5. Ibid.
6. Ibid.
7. Ibid.
8. Ibid. This advice, he wrote, also was Pauline (1 Corinthians, 9:27)

case by thinking pure thoughts and by respecting women:

> 'Learn to respect woman by respecting and guarding her chastity and purity, 'putting honour upon her as the weaker vessel'; and feeling that man is her natural and divinely constituted protector, treat her with something of the chivalry of an earlier age. There is true manliness in this, and the noblest and bravest of our race, like our own hero-king, the Bruce of Bannockburn, have uniformly shown it most'. 1

Under the same head Dr. Thomson also urged early marriage 'when this would be prudent and practicable': it would surround the young man 'with the sanctities and safeguards of married life'.[2] Young men were also advised to 'frown upon' indecent speech, including coarse jokes and 'words with double meanings in which evil is insinuated under a garb of decency'.[3] These were 'base coinage from the mint of hell',[4] and to be avoided at all costs. On the positive side Dr. Thomson recommended the various purity guilds, whose formation he considered to be a hopeful sign. In a sixth and final point his readers were urged to 'ally' themselves 'with divine almightiness'[5] against temptation. Thus, they would be able 'to repel the moral sophistries of those in our day, who think they find an excuse for their sin in the force of their temptations, as if there were a necessity that they should fall'.[6]

The Pastoral Letter then was for the most part a statement of the conventional Victorian attitude to sex, with which its readers would probably have been familiar from other sources. In his analysis of 'The Victorian Frame of Mind', which deals with literary and other sources between 1830 and 1870,[7] W.E. Houghton has noted: 1) that when, at puberty, children were told about

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1. Ibid.
2. Ibid.
3. Ibid.
4. Ibid.
5. Ibid., p.324.
6. Ibid.
7. A slightly earlier period, but there is often a cultural lag in relation to Scotland.

sex (having hitherto been kept in ignorance, or so it was assumed) the parents 'spoke, vaguely but pointedly, about "uncleannes/of body and mind"';[1] 2) that premarital continence was taught to men and held to be absolutely necessary for women; 3) that the Victorian youth was supposed to struggle against temptation and fight it down; 4) that he 'was taught to view women as objects of the greatest respect and even awe';[2] 5) that 'sexual irregularity' was 'the blackest of sins';[3] and 6) that the Victorians were extremely prudish about literature, disapproved of 'levity', and banned 'any words which could conceivably carry a sexual suggestion'.[4] All of these features were, as we have seen, present in the Pastoral Letter,[5] together with that of muscular christianity.[6] Other topics mentioned, such as the advocacy of early marriage and the avoidance of strong drink, were equally familiar elements in the conventional middle-class wisdom of the time, on which we have already commented. And the level of argument to scriptural principles was such as to suggest that these were brought in to support already developed attitudes.

The arguments and advice of the letter thus reflected the attitudes of the respectable. There was little in the letter that any respectable man would contradict upon a public platform. In private, many respectable men might have been less likely to insist on the same standard of sexual behaviour for men as for women, but then nothing very explicit was written about this in the letter. The letter in fact was explicit about very little. It was vague about sex, and its selective-fundamentalist approach to Scripture obscured even the biblical testimony, exalting Paul at the expense of the whole. Whether or not the making of such pronouncements affected the behaviour of those who were

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1. Houghton: op.cit., p.354.
2. Ibid.
3. Ibid.
4. Ibid., p.356.
5. There was even an appeal to the chivalrous past. Houghton mentions Arthurian legends and Tennyson. Thomson had Bruce.
6. Vide Houghton: op.cit., pp.202ff.

not already predisposed to agree with them, is something we can only guess at, but perhaps the best that can be said for them is also the worst: that by their doom-laden vagueness they scared many churchpeople off any form of unregulated sexual behaviour, thus persuading many Victorian Scots to do what may have been the right deed for what was probably the wrong reason.

But did writers like Thomson say the wrong thing for the right reason? This suggestion is not likely to gain much sympathy from those in the post-Freudian age who have been liberated from the constraints of Evangelical morality; and the contemporary theolgian who has to conduct his business in the context of a world-view transformed by the relativising processes of the historical, psychological and sociological arts, must find it difficult to take many of the pronouncements we have been considering at their face value. The frequent failure - even at a much later date and even to-day - of church pronouncements to take the implications of these arts seriously makes this task even more acutely difficult. Any critique of the nineteenth century churches' reasoning about sexuality is bound to find their theological reasoning painfully thin: and even the most myopic theologian must feel at best ambivalent towards christians who could so strain at the gnat of sexuality and swallow the camel of economic injustice. It is tempting in the extreme to leave them to the mercies of the Marxists - or to write them off as an unfortunate example of theological-social heresy by showing how they deviated from the true prophetic spirit of John Knox and the Old Testament.

Yet such a course oversimplifies matters even more seriously than the Victorians themselves did. It is as much an expression of the conventional wisdom of the late twentieth century as the church pronouncements we have been considering were of their own age's conventional wisdom. It may be understandable that the contemporary church, mesmerised by head-counting (in this respect things have not changed), seeks to politicise itself and hopes to gain

the sympathies of the working classes and the intellectual Left, but that is not necessarily prophetic action. Nor is the adoption of more liberal views on sexuality. Nor for that matter is there much evidence either that contemporary church pronouncements make a greater contribution to the solution of problems of national and international social justice than did those of their predecessors, or that ecclesiastical politicisation does much to reconcile to the church those who have been alienated from it. These developments do not provide contemporary churchmen with any very substantial grounds for adopting a superior attitude to their predecessors.

A more fruitful historical and theological course to pursue perhaps lies in allowing the Victorians, however unsympathetic twentieth-century minds may be to them, to be themselves; and thus recognising the differences between the two eras. If this is allowed, there may be seen - behind the rhetoric of professional ecclesiastics and ecclesiastical bureaucrats who had made a remarkably successful adjustment to the interests of the dominant class of their period - the sincere and valid as well as the synthetic and imaginary hopes and fears of men to whom their own historical context was inescapable. It may still be impossible not to criticise them - not least on account of their thin theology - yet the theology of those who criticise is defective if it cannot see through the mystification and distortions of all ideologies to the human realities underlying them. As George Eliot wrote about an earlier generation of Evangelicals:

> 'Our subtlest analysis of schools and sects
> must miss the essential truth, unless it be
> lit up by the love that sees in all forms
> of human thought and work, the life and
> death struggles of separate human beings'. 1

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1. George Eliot: Scenes of Clerical Life, (Janet's Repentance, Ch. X)

CHAPTER NINE:

AFTERMATH: 1900 - 1914.

1. The Church of Scotland.

1.1 The State of Discipline circa 1897.

It had become clear in the Church of Scotland, as a result of the investigations of the Commission on the Religious Condition of the People, if not earlier, that Session discipline was in an unsatisfactory state. The subject was taken up by the Life and Work committee therefore, for closer examination.

In 1897 the Life and Work committee reported on replies to questions sent out by it in the previous year. Each Session was asked how many cases of discipline it had recently dealt with. Of those which replied, 196 could not say, since they kept no records; 118 had no cases to report; and the remaining 745 each reported a number of cases which, in the committee's opinion, were 'sufficiently large to demand the serious consideration of the Church'.[1] Of the offences dealt with in these cases, while a few were of 'drunkenness and, less frequently ... slander, theft (and) quarrelling', over 99 per cent. were 'connected with the sin of impurity'.[2] Cases of discipline normally involved only communicants or intending communicants, and nearly all of them were originated by voluntary confession. (Cases were very rarely originated by 'complaint or information',[3] although in 16 parishes, whose location was not recorded, all or most were originated by action by the minister or Session.) The standard procedure involved nothing beyond 'submission to rebuke', although in a few parishes the offenders were asked to attend worship, promise 'greater

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1. C.of S.G.A.R., 1897, p.720. (Howie estimated (op.cit., p.38) that there were 1409 congregations in all of the Established Church in 1891, so the 1059 which reported would have been the majority.
2. C.of S.G.A.R., 1897, p.720.
3. Ibid., p.721.

watchfulness',[1] or were put on probation either for 3 to 18 months (in one case for 2 years) or till after the next communion. It was unusual for cases of scandal (apart from a few cases of drunkenness) to have taken place in a congregation and not to have been dealt with. In two-thirds of the cases reported as having been dealt with by rebuke, this had taken place in the presence of the Session, while in the remainder it had taken place either privately in the presence of the minister, or - as was most usual in city parishes - in the presence of the minister and one or two elders. Many parishes used different methods in different cases, although in impurity cases it was normal for only the minister and one elder to be present - a practice which had been advocated by the Synod of Dumfries in 1891. In all kinds of cases contumacy was very rare, and when it took place the offender was either suspended or removed from the Communion Roll.

Not many returns specified any hindrances to discipline, but those which did remarked that ecclesiastical divisions were the most important. In a few, but not many cases, offenders had been received into the Free and U.P. churches and in a larger number into the Scottish Episcopal Church, whose ministers were criticised for their 'readiness ... to baptise and to receive into communion without any certificate'.[2] Other hindrances mentioned included the physical removal of offenders from the district, delays by other Sessions involved, and

> 'shame, nervousness, &c., on the part of the women; reluctance, amounting to great unwillingness, on the part of the men, who refuse to be judged by those who are their daily companions (and who themselves are sometimes against them requiring to compear).' 3

More general hindrances included:

> '"religious indifference"; "disregard of Church

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1. Ibid.
2. Ibid., p.723.
3. Ibid.

> authority"; offenders will rather "lapse" than "stand the session"; a low moral tone prevailing in the community (ante-nuptial impurity not being regarded by many as a "serious moral offence")'. 1

The question of how far the administration of baptism was affected by the exercise of discipline - a question raised by the Commission - was also investigated. The majority of returns did not consider that it was affected very much one way or the other, but it was also reported that discipline was frequently submitted to 'in order "to get baptism"',[2] and that baptism was frequentlydelayed on this count. When, as sometimes happened, submission was refused, the offender lapsed and the child remained unbaptised - although in a number of parishes illegitimate children were usually baptised to sponsors.

Suggestions about improving the system were received from 300 parishes, all of which recommended some 'uniformity of method'.[3] This was seen as a way to block the escape of offenders to more lenient parishes in the neighbourhood, and, by the same token, uniformity of practice among all Presbyterian churches was urged. Other suggestions pointed to the 'unfairness of summoning people for discipline only for the sin of impurity'.[4] (The committee pointed out here that the church's law did not restrict discipline to such cases.) There was also some pressure for giving up the keeping of records of discipline. As one return put it: '"If the offence is blotted out before God, why keep a record of it here?"'[5] And another commented that many ministers would rather not know about such episodes in the past lives of their parishioners. There was, however, some disagreement about methods. One third of the returns wanted the abolition of discipline before the Session, and especially for impurity cases where these were still dealt with in this way. These returns

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1. Ibid.
2. Ibid.
3. Ibid., p.724.
4. Ibid.
5. Ibid.

claimed, variously, that this method was '"useless and worse", "effete", "utterly ineffective", "without salutary meaning".'[1] Others however wanted this method to be insisted upon, since the'"Church gains nothing by laxity"', and because abolition of it would be '"detrimental to public morality"'.[2] One minister claimed that

> '"A private conversation would not suffice; the mind of the community, or congregation, would not be cleared; nor would it have the same end or value to the persons dealt with. The elders must share in the duty; to say that they are not suitable is for us to own our Church too little spiritual and tactful."' 3

Summing up, the committee, noting great diversity of practice and hearing of dissatisfaction on all sides, expressed a strong desire for some authoritative guidance from the Assembly. In too many, even if not in all cases, it believed, the way in which discipline was administered neither helped the offender, nor fulfilled the church's purpose. The matter, on its recommendation, was remitted for consideration to a special committee.

1.2 Changing the System.

This committee, having considered the subject, proposed seven amendments to the existing system. These were: 1) that in the case of an offender who delayed voluntary submission 'unduly'[4] long, the minister should make an initial pastoral approach, failing which the Session-clerk should write and warn him that if he did not agree to submit to Discipline within thirty days, he would be suspended from Church privileges until he did submit; 2) that in cases of fornication, if the Session was satisfied that the accused woman was telling them the truth about the father, even if he denied paternity, the case

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1. Ibid.
2. Ibid., p.725.
3. Ibid.
4. C.of S.G.A.R., 1899, p.11.

could be proceeded with. (If they were not satisfied they could delay and do whatever they thought 'best for edification'.[1]) 3) That in cases where the accused was not willing to submit, the minister should meet him or her first, to 'ensure a correct and serious apprehension of his position',[2] and report to the Session. The Session would then discuss the case, and appoint the minister and one elder (in cases of fornication followed by marriage it could be the minister alone) to dispose of matters with the offender; 4) that this last part of the procedure should take place somewhere other than in the offender's own house, and should comprise prayer followed by a statement of the minister and elder's authority, questions to satisfy them of his penitence, counselling and encouragement, further prayer and a statement of absolution; 5) that a record of cases should be kept in a special book, the names of the offenders being obliterated after five years; 6) that kirk-sessions should afford one another facilities for transferring cases; and 7) that in order 'to bring to an end the unauthorised and diverse methods that are practised in some parishes and parts of the Church',[3] Kirk-Sessions should use only either the provisions of the original Form of Process or these amendments.

These recommendations were embodied in the law of the church by an Act (VIII) of the General Assembly of 1902. In practice this Act did nothing to satisfy those who wanted discipline to be made more effective. According to I.M. Clark, writing in 1929, minutes of discipline 'are now kept by very few Kirk Sessions';[4] Kirk Sessions very rarely transferred cases (in order, for example, to bring the father of an illegitimate child residing in another parish under the discipline of the woman's parish); and where discipline was operated almost the whole procedure was in the hands of the minister.

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1. Ibid., p.12.
2. Ibid.
3. Ibid., p.13.
4. I.M. Clark: op.cit., p.168.

Commenting upon the effect of the Act, Clark pointed out: 1) that both the Form of Process and the 1902 amendments were already 'almost a dead letter';[1] 2) that the amendments were not very comprehensive and that the Act 'does look as if it were constructed for the one particular sin that so largely has engaged and still engages the anxious care of the Church';[2] and 3) that by the 1902 Act almost all authority in cases of discipline was given to the minister - which was a departure from the primitive and Re formation model of public confession and almost a return to the pre-Reformation model of private confession. The danger of this, Clark thought, was not 'the rise of the confessional, though the way to it is more open that it once was, but the loss of the very idea of discipline'.[3] And, he commented, 'if discipline is, as the reformers held, one of the three true marks of a church, is its loss not to be regarded as a sympton of disintegration?'[4]

Clark's comments are very much to the point. The return to something like private confession signalled by the 1902 Act - although the Act was more a symptom than a cause of this - left the Church of Scotland in a curious limbo as far as its disciplinary and pastoral functions were concerned. For better or worse it remained a national church and could not adopt the disciplinary methods of sectarian bodies. At the same time however it was also a voluntary body and could not expect the state to enforce its disciplinary standards. Discipline therefore was a dead letter for all practical purposes. The higher

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1. Ibid.
2. Ibid.
3. Ibid., p.169.
4. Ibid. The possible causes discussed by Clark 'making for the decline of discipline in the Church of Scotland' (ibid., pp.171ff.) were: I The Reaction against Puritanism; II Dependence upon the Civil Magistrate; III The Legalistic Nature of the Discipline of the Form of Process; IV Dissent; V The Industrial Revolution; VI Publicity and the Press; VII The Discipline of Preaching Emphasised. Most of these have been discussed above, some of them being described rather differently. VI corresponds somewhat to what has been said about the role of public opinion.

courts of the church could of course still exercise discipline over ministers and elders. But this was not discipline as it had existed in the past. It was rather the activity of a professional body concerned with maintaining professional standards - something like an ecclesiastical General Medical Council. In this general context any attempt by a minister to exercise discipline over church members was difficult to implement, since with the virtual departure of the eldership from the disciplinary scene, there was little to show that such discipline represented the mind of the community. It represented rather what could be interpreted as an attempt by a religious professional to force his own standards upon laymen. It was understandable therefore that ministers grew increasingly unwilling to try.

As a consequence of this and other developments many ministers came to be regarded by themselves and others as pastoral counsellors. But the minister as pastoral counsellor was an ambiguous figure. The overtones of discipline were not easily got rid of, and continued to act as a profound deterrent to the practical exercising of such a role, especially towards those who were less committed to churchmanship. Ministerial pastoral counselling was suspected, often correctly, as a highly judgemental activity, and with the development of the (at least overtly) non-judgemental professions of social work and counselling, many of his activities in this field were aborted. An important factor in this was the absence of any viable tradition of the minister as priest, analogous to that of Catholicism or even Anglicanism. Indeed such an analogy would itself have raised suspicions and objections among many Presbyterians.

These problems have yet to be solved by the Church of Scotland. The Calvinist ideal is no longer tenable in the context of contemporary religious pluralism, and discipline as it existed in the past is clearly out of the question. What remains however - among many other more important problems - is the identity crisis of ministers caught up in the consequences of the late

nineteenth century developments which we have been discussing. Some of them seek to resolve this by pushing the implications of the 1902 Act even further - to the point where ministers will become professional pastoral counsellors, specifically trained for this task in methods which are modelled ultimately upon the one-to-one relationship of psychoanalysis, thus engaging upon a desecularised version of the secularised confessional. This trend, which has been widely developed in the U.S.A., has considerable viability in the contemporary urban setting, in which many individuals in need of counselling and unconnected with any mutually supportive organisation, religious or otherwise, may seek the services of such pastoral counsellors. Pastoral counselling of this kind is likely to have a place in society as long as the state does not provide total coverage of the social work and counselling needs of the community. And even if the state were to do this it is not impossible that a religious section might be included among its provisions. Lacking this, there are in the meantime a wide variety of possible ways in which pastoral counsellors may employ their talents and training in voluntary organisations, whether church-based or otherwise.

A major criticism of any development of this kind, however, is that it perpetuates the divisions so apparent in the church-mission distinction of the nineteenth century. It is based upon the distinction between a class who are helpers and a class who are helped, between the healthy and the sick, between the saints and the sinners. Such distinctions however are profoundly discouraging to those in the helped/sick/sinners categories, and they impose considerable strains upon those in the helper/healthy/saint class, who may either become insensitive through believing that they are what they seem, or may be discouraged by the difference between appearance and reality. One way in which these problems may at least partially be resolved is by means of further developments in current thinking about group interaction, demonstrated

in experiments ranging from small groups formed for the purposes of therapy, encounter, training or creativity, to the larger scale activities implied by the designation of community rather than social workers. It is too early to attempt any assessment of where these various experiments will lead - if anywhere - but they may suggest a way in which the problems inherited by the churches from the nineteenth-century experience might begin to be resolved. The comparisons between the functions of such groups and the functions of a church are too close to be ignored: the christian ideal of a body of mutually supporting individuals in a self-disciplining group is seen by some as what such activities, whether in terms of a small group or a housing estate, potentially offer. But there are also considerable differences between this potential and the various forms of christian organisation which have existed in the past. And these differences whether in method or in terms of the transcendent reference of christian organisations cannot be ignored either. Any notion of the minister as group/community facilitator might for its success require him to abandon even more of his traditional functions (e.g. that of preacher) than he has hitherto been willing to do. On the other hand some move in this general direction, while not solving the minister's problems might do something to revitalise the Reformed ideal of the priesthood of all believers; and this might be more to the point.

These problems then have not been resolved. They have not, however, been discussed in the present context with a view to resolution, but rather to show some of the consequences of those nineteenth-century movements which are our major concern.

1.3 Irregular Marriages.

The Christian Life and Work committee, in its report to the 1893 Assembly, announced that it had changed the name of its sub-committee on the 'Welfare of

of Farm Servants' to that of 'Deputations to Rural Parishes'. This was done, it remarked, because 'in some instances exception was taken to the apparent limitation of this work to one class of the community, as tending to draw an invidious distinction'.[1] Thereafter very much less was heard in the Assembly about the question of rural immorality.

Urban sexual morality - or at least one aspect of it which the church was able to observe - was not however neglected in the early years of the twentieth century. In 1905 an Overture from the Presbytery of Glasgow expressed concern about the increasing number of irregular marriages in large cities, 'even between parties professing themselves Christians', and asked the Assembly to counteract this trend by making 'marriages in facie ecclesiae more easy to the people'.[2] The means suggested for this purpose included the preparation of a pastoral leter, more regular teaching on marriage from ministers, and better facilities for receiving applications for the proclamation of banns. A special committee set up to deal with the Overture, reporting in 1906 and 1907, endorsed these suggestions, amending them only by the substitution of a Memorandum to ministers and Sessions in place of the proposed pastoral.

The Memorandum noted that the number of registered irregular marriages had risen from 1 per cent. in 1875 to 6½ per cent. in 1902, and that they had declined in number only slightly thereafter. Overlooking the possibility[3] that this rise might reflect an increasing number of registrations rather than an increasing number of irregular marriages as such, the authors of the Memorandum expressed their concern that such an increase should have taken place in Scotland, where, they claimed, such marriages were 'formerly rare'.[4] They were especially concerned about the high proportion of irregular marriages

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1. C.of S.G.A.R., 1898, p.652.
2. C.of S.G.A.R., 1906, p.5.
3. Mentioned above: vide Ch.4:3.6.
4. C.of S.G.A.R., 1907, p.1218.

registered in the cities: in Edinburgh 20 per cent., of all marriage, in Glasgow 12 per cent., in Aberdeen 7¾ per cent., in Govan 6¾ per cent., in Perth 6¼ per cent., and in Dundee 5 per cent. They contrasted these figures with 'ten counties, chiefly rural in their character' in which 'there was not a single irregular marriage registered',[1] and some other rural counties in which there were almost none. The urban rate was high, they believed, partly because some couples came from the country to the towns to be married, in the belief that their marriages would thus be secret. This belief, they believed, was fostered by 'needy agents and others in the principal cities', who 'professed to carry through marriage "before the Sheriff"' or advertised their services in terms of '"Marriages legally and privately completed: information free"'.[2] Such claims, the Memorandum pointed out, were misleading, since no 'special licence' in fact existed in Scotland, and since those who underwent the process offered had to pay

> 'about £2 for fees of court, of registration and of agent; whereas in the case of regular marriage the only expense necessary is the proclamation fee - 2s.6d., which covers the cost of the proclamation of banns in the parish church, while the minister's certificate of a marriage, and the registration of that marriage, cost nothing'. 3

In order to encourage regular marriage the special committee accepted an addendum to its proposals which provided that 'one church in each town be open two hours in each week, and a minister in attendance, to marry those who apply for marriage after proclamation of banns'.[4]

The Memorandum expressed a very high view of the church's part in regular marriage. It pointed out that 'in Scotland from the earliest times the Church has regulated not merely the religious ceremony, but also all the

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1. Ibid.
2. Ibid., (vide Ch.4:3.6, above).
3. Ibid.
4. Ibid., p.1219.

details necessary to the completion of the marriage union'.[1] This assertion was based upon Acts of Assembly and of the Scottish Parliament (1661 and 1698) - which, it seemed, were assumed by the committee to be evidence enough of what had happened 'from the earliest times'. The committee also asserted, without producing any evidence to prove the point, that 'everywhere in advanced society, and much more in Christian communities, marriage has been regarded as duly constituted only by religious recognition'.[2] It was at pains to point out that the alternative method of publishing notice, provided for by the Act of 1878 'IS OF NO VALUE UNLESS BOTH PARTIES RESIDE IN SCOTLAND',[3] and that a regular marriage always required a minister to perform it, whatever form the preliminaries took.

The state of the law, the Memorandum observed, was based upon the fact that marriage, with its scriptural foundation and its analogy to the Christ-Church relationship, could not be a 'mere civil contract'.[4] It was not, of course, a sacrament either, but 'common to all mankind' and 'of public interest to every community'.[5] Nevertheless, since Christians were told to marry "only in the Lord",

> 'it is fitting and proper that their marriage **be solemnised by a minister of religion, in** order that he may suitably instruct and exhort **those who are entering on a lifelong union so** close and intimate, and pray for the blessing **of God upon them.** Such **a marriage as this has** always been **recognised** by the law of Scotland **as a "regular marriage", to distinguish it from** "irregular" and erratic unions entered into with **a disregard of religious claims, sanctions or** responsibilities'. 6

The authors of the Memorandum thus continued to assume, perhaps unavoid-

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1. Ibid., p.1216.
2. Ibid.
3. Ibid., p.1217.
4. Ibid.
5. Ibid.
6. Ibid.

ably in a national church whose discipline rested upon such shaky foundations, that all who came to be married in church were christians, and that the unrighteous should somehow be suppressed. The equation was one which many Scots were not disposed to question. But in view of the unrespectable and complicated alternatives to which others among their countrymen had to resort until 1939, they had, perhaps, little choice in the matter.

1.4 Other Issues.

During this period the Church of Scotland's General Assembly discussed a number of other issues related in one way or another to our sphere of interest, but limitation of space precludes the consideration of these here. In any case such subjects as the development of the Church of Scotland's Women's Organisations, begun in the 'eighties under the aegis of the Life and Work committee, and the movement for the ordination of women, which came to a head in the nineteen-thirties,[1] deserve to be studied in their own right. The development of social work in the Church of Scotland, whichcreated a special committee concerned with this subject in 1903, has been chronicled elsewhere,[2] and in the present context it may simply be noted that this committee's interests included 'rescue and redemptive' work among girls and women (sexually) at risk, especially in the cities, as well as the creation of a Women's Labour Bureau. Two other subjects which were discussed may also be noticed in passing: in 1911 the Assembly gave some consideration to technical matters relating to the celebration of marriage in the armed services (in connection with the report of its Army and Navy Chaplains committee); and in 1912 church representatives gave evidence to the Royal Commission on Divorce. This last, although it introduces a large subject upon which the nineteenth-century

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1. Vide C.of S.G.A.Proceedings, 1931, pp.144ff.
2. Vide L.L.L. Cameron: op.cit., pp.23ff.

churches were largely silent, is of more relevance to developments in the post- rather than the pre-war period.

2. The United Free Church: 1900 - 1914.

For a number of years after the union in 1900 of the Free and United Presbyterian churches, the Assemblies of the new United Free Church were overshadowed by a much publicised legal wrangle over the property of the former Free Church. The minority 'wee' Free Church which dissented to union regarded this controversy as one of principle. But since it so clearly concerned property it can have done little to persuade outsiders that the churches were the poor man's friends. Yet this was what an increasing number of ministers and elders of the new church were anxious to prove. Reports of the Church Life and Work[1] and Social Problems[2] committees of the U.F. Assembly, and debates concerned with these reports suggest that the repentance they now expressed for their predecessors' alleged indifference to the problems of wealth and poverty was not entirely rhetorical. There were, of course, many churchmen who considered that ecclesiastical interest in social issues was 'a sort of red-herring trailed across the path to divert the Church's attention from her principal duty'.[3] But when the Church Life and Work committee announced in 1902 that the church had to take account of 'how social conditions bear upon the moral depression or elevation of the masses',[4] it was a sign that James Begg could rest more easily in his grave. (On this count at any rate: no

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1. The Church Life and Work committee of the U.F. Assembly replaced the U.P. committee of the same name and the Free Church Religion and Morals Committee.
2. This committee was created in 1910.
3. G.M. Reith: Reminiscences of the United Free Church General Assembly: 1934, p.94. Reith remarked that reservations of this kind were most likely to be heard at the Assembly 'in the freer environment of intercourse in the corridors and the smoking-room' (ibid.).
4. U.F.C.G.A., 1902, Report XVIII, p.3.

doubt the Free Church case would have kept him agitated.) A new generation, forced by circumstances to regard an urban and industrial society as normative, and a lapsed proletariat as normal, was now, when it talked about 'the moral facts of life',[1] found to be talking about economics and politics as well as about sexual immorality and intemperance.

The United Free Assembly, on the advice of its Church Life and Work committee, was, however, unwilling to 'hastily commit itself to great schemes of social work'.[2] It acknowledged the lead given in this direction by the Church of Scotland, and perhaps sensing that union with that church could not be postponed forever, limited its efforts in this field. It did, however, believe that 'the Church has a well-defined function in moulding public opinion and in holding forth higher ideals';[3] and during this period it discussed a wide range of social problems with this end in view.

2.1 Housing, Overcrowding and Immorality.

In this discussion the problems of Scottish housing inevitably re-appeared. The Church Life and Work committee's report to the 1904 Assembly reviewed the social changes of the second half of the nineteenth century, comparing Guthrie's picture of the mid-Victorian City, its Sins and Sorrows,[4] with the 'public figures' for 1903. 'Nothing', the committee declared, 'has been more striking in the period mentioned than the amelioration of the conditions of the working classes'.[5] But, after detailing improvements in wages, housing, education and public health, it still found 'many things to give us pause'.[6] Among these it included 'overcrowding', a phenomenon which more

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1. U.F.C.G.A., 1904, Report XVIII, p.3.
2. U.F.C.G.A., 1906, Report XVIII, p.6.
3. Ibid.
4. Published in 1857.
5. U.F.C.G.A., 1904, Report XVIII, p.4.
6. Ibid., p.5.

careful investigation and control by public authorities had revealed. 'Overcrowding is not allowed',[1] the committee wrote. But it had to admit that 'the shiftlessness and moral defects of the people'[2] made it difficult to translate this principle into practice. The committee came down especially heavily upon 'those who will not trouble to gather a few sticks of furniture and take a home for themselves', but who instead 'pay a higher weekly rent for so-called furnished apartments, having as little stake in the country as a tramp by the roadside'.[3] (If the tone of these remarks was any guide, perhaps one might be forgiven for thinking that things had not changed so very much in the previous forty years after all.)

The Assembly's interest in overcrowding was stimulated by the report of the Glasgow Housing Commission, whose findings were communicated to it by the Church Life and Work committee in 1905. The committee's representatives made a great deal of the fact that the Commission had called attention to the superabundance of licensed premises in Glasgow, commenting that 'the wretched slums' were 'largely the product of this vice'.[4] The committee did not, however, seem too clear about the question of cause and effect: in the previous year it had quoted, apparently with approval, a remark by the Glasgow Chief Constable, describing 'an extraordinary outbreak of serious crime in the city in 1902' as '"but the natural outcome of the wretched social conditions existing in the lowest stratum of city life"'.[5] In fairness to the committee however, it should also be noted that it criticised not only the inhabitants of overcrowded slums but also the profiteers who sublet the furnished houses or rooms they lived in.[6] House-farming, as it was called - it seems as if rural meta-

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1. Ibid., p.6.
2. Ibid.
3. Ibid.
4. U.F.C.G.A., 1905, Proceedings, p.164.
5. U.F.C.G.A., 1904, Report XVIII, p.6.
6. See Appendix, note 6.

phors were still indispensable - was to be discussed on a number of other occasions during this period and clearly one of the aspects of this subject which disturbed the committee was, as its 1909 report put it, 'that a large proportion of these houses are hot-beds of immorality and disease':[1]

> 'The evils inseparable from overcrowding are too apparent to require indication. By the impossibility of securing privacy the bloom of modesty is easily removed, and the natural safeguards of purity are destroyed. The sanctities of home are violated and in the moral atmosphere generated it is scarcely possible for religion, even in its most elementary form, to thrive'. 2

Among the consequences of overcrowding mentioned by the committee was not only crime, especially murder, but also, according to the 1905 Report of the Royal Edinburgh Asylum, 'a rapid and alarming increase of general paralysis of the poorer classes'.[3] The committee connected this phenomenon with overcrowding and house-farming in particular, since so many such houses accommodated part- or full-time prostitutes. In the Church Life and Work committee's report of 1904 it had complained that although prostitution had been successfully contained by 'a policy of stern repression' in previous years, it was once again re-appearing in 'other and subtler forms' which were 'difficult to be brought

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1. U.F.C.G.A., 1909, Report XVIII, p.3.
2. U.F.C.G.A., 1906, Report XVIII, p.5.
3. Ibid. Dealing with general paralysis of the insane (ie. syphilitic insanity - one of the later manifestations of this disease) the Asylum's report stated that 'In 1872 there were no admissions of this class of insane; in 1905 there were thirty-eight - all, with one exception, from the poorer class. For the first time the number of female general paralytics exceeds that of men' (ibid.). It found 'the explanation of this sad fact in the bad moral status and mode of life of the class from which these patients come' (ibid.). (I do not know how far these comments reflected a real increase in G.P.I. or simply better diagnoses. The connection between the earlier forms of syphilis and G.P.I. was confirmed at some point during the 19th century: vide R.S. Morton: Venereal Diseases, 1966, p.28) The Church's committee complicated the cause-effect question here again, when, dealing with more general subjects a few lines later, it gave way to alliterative rhetoric, and declared (U.F.C.G.A. 1906, ibid.): 'The homes are dirty because the tenants are drunken, and filthy because the tenants are foul'.

within the reach of the law'.[1] And in 1908 a minister from Glasgow was to tell the Assembly that 'immorality was on the increase'.[2] This minister 'was informed that in Glasgow alone ten thousand women took gains for parting with their honour'.[3] Of these, he reported, only a few were saved: missionaries found that it was generally only those who had come from good homes that they could have any hope for, while 'the great majority never had a chance, physically, morally or spiritually'.[4]

The committee continued to discuss house-farming up to the outbreak of the Great War. In its opinion, local Acts were insuffient, and national legislation was required to give local authorities powers to regulate such houses. Its 1914 report quoted from a report received from Glasgow corporation in which it was stated that the number of farmed-out houses in the city had almost doubled since 1901, and that of their inhabitants,

> '50 per cent. live under these degrading conditions as a consequence of their drunken habits; 10 per cent. are tramps and tinkers; 20 per cent. are idlers who do nothing but hang about these places, and 20 per cent. are women of ill-fame'. 5

Anxious about the urgency of the problem, and irritated by having to wait for the report of the Royal Commission on Housing, the committee remarked that it was 'amazing, in face of such a clamant case for reform, that the Department of State should maintain a policy of masterly inactivity'.[6]

2.2 Sweating and Family Life.

The effect of labour conditions on family life was also discussed by U.F. Assemblies of this period, especially in connection with 'sweated labour'

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1. U.F.C.G.A., 1904, Report XVIII, p.5.
2. U.F.C.G.A., 1908, Proceedings, p.265.
3. Ibid.
4. Ibid.
5. U.F.C.G.A., 1914, Report VI (The Church Life and Work and Public Morals Committee's report), p.5.
6. Ibid.

and the employment of children. 'Sweating' mostly took the form of needle-work (or sometimes matchbox making or shoemaking), done at home by women for extremely long hours and low wages. Parliament had been concerned about it for at least twenty years, but it was difficult to improve conditions, not least because the women were not easily organised in their own defence. The Church Life and Work committee, writing in 1908,[1] noted these points, and, expressing its concern about the effect of sweating on home life, demanded the state regulation of wages (and possibly a minimum wage for workers), as well as the sanitary inspection of houses in which sweating was carried on. The committee would not commit itself on the controversial issue of whether home work should be totally abolished, but it tried to deal with one of the factors which gave rise to it by asking church members 'to moderate the demand for cheapness, so far as in their power'.[2]

The same report also included a survey of conditions in other industries. Here it was particularly critical of Sunday labour, especially since many of those who worked on Sundays were often free on Saturday afternoons, when their 'passion for sport interferes with work'.[3] There was a distinct echo here of what had been said in the 'nineties by the Commission of the Church of Scotland on the Religious Condition of the People: an echo heard again when the committee, commenting on the relation between industrial conditions and home life, focussed its attention on Dundee, whose unenviable pre-eminence in infant mortality, the committee believed, was 'directly attributable' to the way in which domestic life was 'disorganised by the employment of married

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1. U.F.C.G.A., 1908, Report XVIII, pp.3ff.
2. Ibid., p.5.
3. Ibid., p.6.

women in daily and all-day work'.[1] It is worth noting in this connection that the church's criticism of working mothers seems to have originated with what it saw in Dundee, and with the phenomenon of sweating. Mothers had of course worked for a long time. But it was the unquestionably bad conditions and effects of such labour in these sections of industrial society which finally provoked comment once the church admitted to becoming aware of them.[2] Criticism of working mothers as such was to remain a standard part of the church's repertoire long after these conditions had been abolished.

2.3 Social Conditions and Political Action.

Despite its willingness to attack the problems of house-farming and sweating, there were some issues which the U.F. Church found too hot to handle. The 1908 report of the Church Life and Work committee told of a meeting between the committee and a member of the Edinburgh Trades Council who 'in the course of an able and well-reasoned address presented the Socialistic view of existing conditions'.[3] The committee listened, told him that they were sympathetic, but concluded that 'the time has not arrived at which the Church is called to

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1. Ibid., p.8. At this time, according to the 1908 report, 55% of the female population, aged over 15, of Dundee were employed. In the jute trade 51% of the employees were women over 20 years, 22% girls under 20, and only 16% adult men. These figures were much the same as those given in 1906 (vide above), and housing conditions were also much the same - although the Town Council, it was said, were planning 'the extension of the city on "Garden City" lines' (ibid., p.7). The committee also investigated the condition of textile workers in Dunfermline. These were better on the whole than in Dundee - partly, it was claimed, thanks to Carnegie money. An interesting sidelight on the committee's assumptions was provided when they discussed the condition of members of miners' families who came from the surrounding countryside and found work in Dunfermline. It stated that 'through the influence of town-life, "a gradual elevation is visible among them"' (ibid., p.8).
2. Individual ministers had of course much earlier criticised the industrial conditions under which 'the females who should be in the house, and the children who should be in the school, have been sent to the factory': Lectures on the Social and Physical Condition of the People, especially in Large Towns, by Various Ministers of Glasgow, 1843, p.106.
3. Ibid., p.9.

take a side on great economic questions'.[1]

In 1908, of course, not everybody in the U.F. Assembly agreed about this. While some believed that economic questions were too complex for the church to deal with in any detail, there were others, like Professor J.Y. Simpson, who held that it was up to the church 'to show that there is a will of God concerning questions relating to hours and wages, to the appropriation of land, to the enjoyment of luxury, the suffering of penury'.[2] Those who spoke in these terms were concerned lest Marxism in theory and Socialist Sunday Schools in practice should replace Christianity and the Church. They held that Socialism was good, but that Christianity - which included the good of Socialism - was better, and that the church should apply the light of the Gospel to the problems with which Socialism was concerned. Others again had doubts of a different kind. An elder from Glasgow (who was applauded simply for saying that 'he spoke as a working man and the son of a working man'[3]) complained to the 1908 Assembly that the church's interest in social and economic questions gave the impression that it 'looked on the labouring portion of the people as being morally and spiritually in a more depraved condition than some other sections of the population'.[4] No doubt this was the impression it also gave to many other working people. Although it made a great show of

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1. Ibid. The Commission on the Religious Condition of the People had held a similar meeting in 1892 with a deputation of the Arbroath and District Trades Council, who had complained that 'ministers take no interest in the social welfare of the poor' (C.of S.G.A.R., 1892, p.976). The Commission had expressed sympathy, but declined to enter into 'the consideration and adjustment of economic questions' (ibid., p.977).
2. U.F.C.G.A., 1908, Proceedings, p.269. Simpson compared the present state of society with that in which 'the great industrial deliverance' of the Exodus had taken place. Another speaker, the left-wing Glasgow minister Colin Gibb, spoke eloquently about 'the system' which separated 'the manual worker from the sources of wealth and from the use of the means of production'. This 'with the elimination of the humanising relationship between masters and men' tempted managers 'to increase dividends and raise their own salary by cutting expenditure and grinding the face of the workers' (ibid., p.264).
3. Ibid., p.273.
4. Ibid.

good-will towards the working classes (some of it no doubt genuine) its continuing unwillingness to translate its good-will into political action limited its effectiveness. According to the Church Life and Work committee's 1909 report: 'for the church to become a partisan would be to hamper her mission in the spiritual domain with one or other of the parties involved'.[1] But the church had appeared too long to be on the side of the middle classes for things to be so simple. The report of a Church Life and Work sub-committee seemed to recognise this when in the same year it commented that 'the Church's partial neglect of (its social ideal) has had serious results in throwing the leadership of the masses of the poor into other hands'.[2]

2.4 The Morality of Young People.

This sub-committee had been given the task of preparing a paper on 'the Social Teaching of our Lord', and this[3] showed the direction in which some churchmen were going. It emphasised that Christ was a poor man, that his example 'vindicates the claim of the poor to a life of happiness' and that he was peculiarly devoted 'to the Distressed and the Outcast Classes'.[4] Dealing with his teaching it emphasised the teaching on the Kingdom, stressing that this was not only a spiritual reality but also a social ideal, with a bearing upon contemporary economic and industrial problems. Among the special problems 'looked at by Jesus in their connection with the Kingdom',[5] it singled out Wealth and The Family. Wealth, it commented, was 'a trust ... often a moral danger ... (and) a severe test'.[6] As far as The Family was concerned:

'On this subject Christ's teaching is explicit.

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1. U.F.C.G.A., 1909, Report XVIII, p.9.
2. Ibid., p.16.
3. Ibid., pp.14ff.
4. Ibid., p.13.
5. Ibid.
6. Ibid.

> To Him the relation of man and woman in marriage is sacred and binding. His teaching made the marriage bond more stringent than it had ever been. His own example in His home life is equally instructive and significant. The basis of the Christian Institution of the family rests firmly on the authority of Christ'. 1

There was nothing very novel in these remarks about the Family. The context in which they appeared, however, was significant. The paper on Christ's social teaching reflects the influence of contemporary Ritschilian theology on the Scottish writers, particularly in its concentration upon the Jesus of History, the Kingdom of God, and the moral imperative. While it would be misleading to trace too direct an influence of German theology upon Scottish church pronouncements, it seems then that the church was beginning to awaken from its undogmatic slumbers of the nineteenth century, to the task of correlating theology and culture.

Even this however can be overemphasised, and no doubt the fear of revolution, which had long influenced some churchmen and was now even more acute in certain quarters, played its part in the rediscovery of Christ's connection with the poor. Nor was the nineteenth century really dead. As far as comments on sexual behaviour were concerned there were still a number of echoes of it. Only in the previous year the Presbytery of Blairgowrie had reported its anxieties about 'the thousands of girls engaged in the fruit industry in that district'.[2] Some of them, it wrote, were 'quartered in dormitories that are not suitably supervised. Crowded together in large numbers, or even sleeping in the open air, there is a great risk of serious scandal'.[3] But if complaints of this kind were all-too-familiar, some other traditional themes were being seen in a new and more optimistic light. The Assembly of 1902 had heard with some satisfaction that the amount of immorality in the

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1. Ibid.
2. U.F.C.G.A., 1908, Report XVIII, p.2.
3. Ibid.

South-West was decreasing and that the standard of behaviour was gradually rising.[1] And in the following year it was told of the progress made by the Onward and Upward movement in the Presbytery of Arbroath.[2] The subject of discipline also was being handled rather differently. The U.F. Assembly, with its relatively more modern standards of congregational discipline, had fewer problems here than the Establishment. But its thoughts on the subject were going in much the same direction as those of the Church of Scotland. When it heard of four congregations in the ultimate North-Western Presbytery of Tongue, which still insisted upon up to four public appearances in cases of discipline, it commented: 'This surely is a mode of procedure that might well be given up'.[3]

But if North-Western righteousness and South-Western immorality were now becoming matters of less moment to the U.F. Assembly, this did not mean that the church had given up its interest in sexual behaviour. It meant rather, as we have already suggested, that this interest was now invested in the sexual behaviour of young people in general, and that most of these were now to be found in the towns rather than in the rural areas.

This point may be supported by reference to the 1912 Report of the committee on Church Life and Work and Public Morals, which included a special enquiry 'into questions affecting young people',[4] or adolescents, as they were

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1. U.F.C.G.A., 1902, Report XVIII, p.5.
2. U.F.C.G.A., 1903, Report XVIII, p.6.
3. U.F.C.G.A., 1910, Report XVIII, p.18. This Assembly was also concerned with the Royal Navy's practice of giving 24-hour leave to sailors 'at places where suitable lodgings do not exist, or cannot readily be found' (ibid., p.7). This presumably referred specially to such Scottish anchorages as Scapa Flow and the Cromarty Firth (around whose shores Free Church virtue had so singularly flourished in the past). This practice, the Church Life and Work committee claimed (in a letter to the First Lord, who promised 'that it would receive attention'), was 'attended by grave perils to the morals of the men themselves and of the general community' (ibid.). The committee, hyper-tactful, pointed out that this was not intended as a reflection on the morals of the men themselves. There were more complaints in 1913 about streetwalking in Edinburgh when the fleet was in the Forth (U.F.C.G.A., 1913, Report V, p.16).
4. U.F.C.G.A., 1912, Report V, pp.13ff.

now referred to. The enquiry dealt with three specific topics: the employment of children, street-trading by young people, and 'the prevention of girls and youths from immoral courses'.[1] As far as the first two of these topics were concerned, the church was on the side of reforming legislation, such as the Employment of Children Act of 1903, and further amendments which it believed were necessary.[2] It also saw 'a grand opportunity for social service'[3] by church members, in provision made for voluntary workers, under the supervision of the Children's Care Committee, to keep in touch with and report on school-leavers for four or five years. This opportunity, the committee thought, would appeal to members of 'every congregation situated amid a working class population', who 'could organise a body of helpers, who could co-operate with the School and State authorities'.[4] Since 'the young people in a district are already known to Church workers through the Sabbath School, and kindred organisations ... it would be simple to follow them up in this way'.[5] The great advantage possessed by the church in engaging upon this task, the committee suggested, was that it had 'the personal touch'.[6]

The sub-committee charged with discussing 'the Prevention of Girls and Youths from Immoral Courses' was convened by A. Herbert Gray, who was later to write a number of popular books and pamphlets on sex and marriage.[7] Its report began by noting that

> 'the attention of the public has of late been forcibly directed to the large amount of immorality in our large towns, and <u>even</u> in our country district. It is not necessary to discuss the question whether it has increased of late. Its present dimensions constitute

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1. <u>Ibid.</u>, p.24. The subject was also described as that of 'the protection of young persons from immoral courses' (<u>ibid.</u>, p.14).
2. <u>Vide</u> also U.F.C.G.A., 1909, p.3 and U.F.C.G.A., 1913, p.19.
3. U.F.C.G.A., 1912, Report V, p.15.
4. <u>Ibid.</u>
5. <u>Ibid.</u>
6. <u>Ibid.</u>
7. E.g. <u>Men, Women and God</u>, 1923.

a very grave national peril'. 1

The major cause of this, in the committee's opinion, was 'the lack of proper parental control, and the relaxation of the bonds of family life'.[2] This, it claimed, deprived young people of 'what ought to be their greatest moral safeguard', and since 'the very fundamentals of Christian morality are at present being challenged in our country', the nation's 'greatest need just now is a firmer hold on the Christian conception of marriage ... The call to the Church to make its testimony on these matters clear and unmistakeable is very loud'.[3] To do this, more should be said about the subject from the pulpit, 'difficult and delicate'[4] though this was. The committee pointed out that, compared with the church,

> 'no other institution in the country can possibly have such an opportunity, and therefore such a responsibility. We still have the majority of the children of the country in our Sunday Schools and if there those children were trained to hold true ideals of the sacredness of the family, we might hope to produce parents of a very different type for the next generation, and then this evil might shrink to very small dimensions'. 5

There were, in the committee's opinion, other considerations also involved in the problem. Specifically, it mentioned: 1) 'the influence of unduly low wages'; 2) 'the influence of evil housing conditions'; 3)'dangerous resorts'; and 4) 'needed changes in the law'.[6] Its comments on the first two of these were standard: on the one hand, sweated wages tempted girls 'to augment their earnings in ways which involve the ruin of their life';[7] and on the other hand, inadequate housing forced both sexes in large families into

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1. U.F.C.G.A., 1912, Report V, p.24. (My underlining).
2. Ibid.
3. Ibid.
4. Ibid. This phrase was identical with that used by Wardlaw when he took up his pen to write about prostitution, in the 1840s (vide R. Wardlaw: op.cit., p.2).
5. U.F.C.G.A., 1912, Report V, p.24.
6. Ibid.
7. Ibid., p.25.

the same beds - or at best the same rooms - thereby removing the 'barriers that ought to guard delicacy and chastity of feeling'.[1] The committee's criticism of such 'dangerous resorts' as public houses, ice-cream shops and public parks was not new either. Nor was its recommended alternative of ever more 'Lads' clubs and Girls' clubs'.[2] Among the reforms in the law for which it pressed were those relating to brothel-keeping, to keeping children in brothels, to farmed-out houses, to living on immoral earnings, to accosting, and to criminal assaults on children.[3] In each case the committee expressed a desire for heavier penalties or for more careful enforcement of the existing laws.

The committee continued to be concerned with the question of the low wages paid to girls, and the subject was discussed in the 1913 Assembly. But when the convenor was in full flight, condemning these low wages, he was interrupted by a female voice from the gallery, shouting "Votes for women". The interruptor was quickly dealt with, but the same thing happened again in the following year, and one minister at least expressed anxiety lest 'some of these furies might in revenge add the Assembly Hall to their bonfires'.[4] The Great War however was now about to interrupt and recast the discussion in a more serious fashion, so that for better or worse the Hall survived, although what was discussed in it thereafter was to never be quite the same, despite the valiant efforts of many later commissioners.

One issue which would continue to obsess subsequent Assemblies came into prominence during this period. This was the question of the promulgation,

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1. Ibid.
2. Ibid.
3. In some cases, according to the committee, men convicted of this had 'escaped with sentences of a few months' (ibid., p.26). The committee was inclined to think that life-imprisonment would be a more appropriate penalty.
4. Vide G. Reith: op.cit., p.153. Reith, commenting on 'these lawless women' who 'had deliberately adopted the policy of the mosquito', remarked that 'it is an interesting and perhaps relevant zoological fact that all stinging insects are unsexed females' (ibid.).

in 1908, of the decree 'Ne Temere' by the Roman Catholic Church in Britain. The decree stated that no marriage of a Roman Catholic was valid unless it had been celebrated by a Roman Catholic priest - even if the other partner was of a different faith. This rather aggressive move was soon met by a storm of criticism in the other churches, and protests, accompanied by appropriate horror-stories of priestly activities, were made in the U.F. Assemblies of 1911 and 1912.[1]

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1. U.F.C.G.A., 1911, Report V, pp.17ff. and 1912, Report V, pp.9ff. The Church of Scotland had also taken this subject up at about the same time. Vide C.of S.G.A.R., 1912, pp.820ff.

CHAPTER TEN:

THEOLOGICAL AND OTHER PRESUPPOSITIONS.[1]

What theological presuppositions informed the pronouncements we have considered so far? Let us briefly review some of the major points which have been made. We began by considering the churches' pronouncements on illegitimacy and social conditions (chapters one to four) and found the churches in diagnostic disarray. They did not doubt that sexual immorality was undesirable. Nor did they doubt that the proper place for sexual intercourse was within the divine institution of marriage. But how was immorality to be discouraged and continence ensured? Circumstances forced them to be specific, and complicated the traditional diagnosis - that sexual misbehaviour was attributable to an underdeveloped conviction of sin - with other diagnostic elements which suggested that it was attributable to adverse social circumstances. The very social circumstances which the churches found themselves in thus prevented them from having the courage of their Reforming fathers' convictions. But at the same time they were unwilling to abandon those convictions. Was immorality - somehow - to be suppressed? Or was it - somehow - to be rendered redundant by social improvement? No clear consensus emerges from the pronouncements on this point. Although in time (chapters six, seven and nine) the latter view gained increasing support, the former was far from being abandoned. And in their pronouncements on the marriage law and on ecclesiastical discipline the churches showed that they were as unwilling to give up the formal authority vested in them as they were to exercise that authority in the spirit of the Reformers.

In making these pronouncements the churches rarely raised or developed explicitly theological points. They did, of course, quote Scripture, but

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1. See Appendix Note 7.

often with as little relevance to its original context as to the relation between that and the contemporary context. As we saw in considering the Pastorals on family religion (chapter five) the language of the Authorised version had become so inextricably interwoven with the everyday language of churchmen that its meaning was often distorted. And even when the scriptural sense was discerned, little attempt was made to use it as a point from which theological reflection could proceed. Other pronouncements whose lack of scriptural citation was very obvious by comparison, demonstrated (as we also saw in chapter eight) that the churches perceived the contemporary scene through the spectacles of conventional middle-class morality and piety. This enabled the churches to make pronouncements which sounded condident, in language which sounded like Scripture. But these pronouncements lacked theological penetration.

In one sense of course the pronouncements were informed by theology. The theology of Calvin, which had in its day been penetrating, had created many of the assumptions on which they were ultimately based. But time had interposed so many problems and raised so many questions about that theology - problems and questions which Scottish churchmen had lacked the opportunity or the desire to take seriously - that it is doubtful how far Calvin or even his Scottish followers can be held responsible for what their nineteenth century successors were now saying. For the fact was that although theology was still done in Scotland, it was not much heeded by General Assemblies - at least not in the area of discussion which we have been considering.

Why was this? Robert Flint, the Church of Scotland's leading theologian, had suggested a reason. In an address to his students in 1881 Flint had criticised the view that 'the theologian ought to teach nothing but what is contained in the doctrinal statements of the creeds of the Church' and that he ought 'to propound no truths or ideas except those which the Church has already

adopted'. Over against this 'false and degrading ... theory of the theologian's duties' Flint had suggested that the theologian's relationship to the Confession of Faith was 'analogous to that of a professor of mathematics to the elements of Euclid'. The theologian, while 'content not to contradict the doctrine therein contained ... would by no means be content to be confined to it and prevented from going on to the higher mathematics'. When a report of this speech reached James Begg, the comparison roused that champion of orthodoxy to deliver a verbal attack on the Establishment theologian. In reply, Flint, reminding Begg of his recent statement that he 'had no sooner entered the ministry than he fell into the stream of public discussion', commented:

> 'I do not like the stream into which he fell, and for this among other reasons, that it is a stream which has wasted and impoverished every field of theological science in Scotland, and into which whoever is completely drawn must be lost to theological science, and must lose to some extent a due interest in its progress. The fruit of science like the fruit of righteousness is sown in peace; it loves quiet places. For fifty years there has been no ecclesiastical peace in Scotland, and Scotland is fifty years behind some other countries of Europe in theological science. It is about time, in my opinion, that divines were thinking of coming out of a stream so unfertilising, and in some respects so unclean as that which has been flowing through Scotland, instead of plunging into it, as many of them are doing just now, more madly than ever, and trying to drag the whole country into it.' 1

Although these comments apply to theological science in general, they are equally applicable to the area which we have been considering, since, as we have seen, the love of controversy displayed by Begg and many other church-

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1. D. MacMillan: op.cit., pp.364ff. When Flint was being urged to accept the Chair of Divinity in Edinburgh University (in 1875) he observed: 'so long as the salaries of our theological Chairs are only a half, or less than half, of many of our city churches, I do not see that the Church can expect men to make great sacrifices in regard to work to fill them ... the Church will only have to blame her own parsimony for leaving her theological Chairs in the state of miserable poverty in which they at present are' (ibid., p.248). Flint however did eventually apply for and was appointed to the Chair - after the salary had been increased.

men does seem to have obstructed any mature theological reflection about Christian teaching on sex, marriage and the family.

This was not of course the only reason why the churches' pronouncements lacked theological penetration. As we have seen, the churches' successful identification with the needs of the dominant new middle class required that they share its confidence in the sort of society it had established and hoped to improve. Thus, when that society appeared to be in danger, it was all the more necessary for the churches to rally to its support with pronouncements based on theological models which reflected its structures. These theological models, essentially those of the patriarchalism of love, but greatly modified to fit the nineteenth century, were, however, losing touch with everyday social reality. As they did so the churches clung to them all the closer, as if afraid seriously to question them. Thus, although as time went on the churches became more critical of the nineteenth-century social structure, their fear of what might happen were the associated theological models to be questioned seems to have inhibited their theological penetration. In an age characterised by 'the common feeling that to lose one thing is to lose all',[1] this was a not unnatural response.

If theological reflection was almost absent then, what, other than expediency, did inform the churches' pronouncements on sex, marriage and the family? In the figure of the farm servant, to whom the preceding chapters have repeatedly returned, we find a clue. Let us therefore briefly review the churches' assessment of his situation.

The central role assigned to farm servants in the pronouncements was related to changes in the agricultural economy and to changes in the churches' relation to the working class population. Various factors were involved in this. A great upheaval in the agricultural economy had disoriented much of

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1. Vide Ch.6:4.2.5 above.

the rural population, and may well also have disrupted the old-established courtship customs of at least some of the rural districts. Possibly this had produced an increase in illegitimacy. Or possibly illegitimacy had increased in rural districts as a result of the churches' loosening and less confident disciplinary grip. Or possibly it had not increased at all but had simply been brought into the light by the Registrar-General. Whatever the facts and whatever their causes, the churches, now solidly identified (at Assembly level at any rate) with the middle classes - who literally as well as metaphorically put a high price on female virginity - were particularly concerned about rural immorality. Now that so many of the urban and industrial workers were outside the church, the existence of such immorality seriously undermined any claim the churches might make about their influence over this remaining section of the working-class population. Such claims were further undermined by the churches' discovery that family worship among the lower orders, even in many rural districts, was not only 'by no means universally practised', but was also falling 'into more extensive neglect'[1] than had been thought earlier in the century - a development which the churches themselves, through the creation of church- (or church-hall-) oriented organisations, may well have helped to foster. This, together with widespread reports of declining parental authority, suggested that certain commonly held ideas about the rural population were ill-founded.

In Scotland, although they were to be found elsewhere,[2] these ideas were given a focus in the figure of the godly smallholder portrayed in Burns' poem, 'The Cottar's Saturday Night'. This mythological figure, independent, 'moral' and pious, was not without historical substance. Reformed religion, starting out from an urban power-base, had penetrated rural Scotland, and

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1. Vide Ch.5:2, above, and cf. chapters six and seven, passim.
2. Vide Max Weber: The Sociology of Religion, (1922) English Ed. 1956, p.83, and D. Craig: Scottish Literature and the Scottish People, 1961, passim.

prior to industrial and agricultural change, men like the cottar had not been entirely atypical. Indeed, in the Crofting Counties they still existed - when they had not been driven south or across the sea by poverty or landowners. Among them Reformed religion still had a hold, especially in the places where it had most recently arrived.

The middle classes, many of them only a generation or two away from the croft, were greatly attracted by notions about the way of life of such people, which they picked up from Burns, Scott and their many imitators. They even went for their holidays to the Highlands. They did not however stay there long enough to unsettle these notions. Nor perhaps did they question the incongruity of an idea which seemed to combine the Romantic noble savage with the Reformed pious peasant. They were, as a consequence, able to keep up the fiction that, outside the worst areas of Edinburgh, Glasgow and Dundee, the Cottar was still the real Scot, a sanctified MacRousseauian archetype.

Church leaders, as we have seen, had their own reasons for believing in the pious peasant. Thus, when this idea came into sharp conflict with the social realities of contemporary social life - to which surveys and statistics appear to have given heightened reality - this conflict of romantic ideas and rural realities produced what may be termed the Cottar Complex - a complex of irreconcilable and emotionally loaded ecclesiastical attitudes which the churches found difficult if not impossible to resolve without the loss either of face or integrity. Their repeated appeals to the memory of the Cottar recall George Eliot's dictum: 'we all of us, grave or light, get our thoughts entangled in metaphors, and act fatally on the strength of them'.[1]

The theological vacuum in which many of the pronouncements considered in previous chapters were made, was thus to some extent filled by attitudes which owed more to this Cottar Complex than to any mature theological reflection.

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1. George Eliot: Middlemarch (1871-72), Book I, Ch.X.

The circumstances which produced it of course changed with time and as more and more people drifted from the land. And by the beginning of the twentieth century the churches had access to a greater store of information about urban life on which their pronouncements could be based. But although the specific reference to rural immorality was lost, the habits formed under the influence of the Cottar Complex were not. The churches were now beginning to turn their attention - as far as their critique of sexual behaviour was concerned - to another section of the population whose life was also often romanticised, namely 'youth'. This class, which even now could not answer back, was beginning to take up the burden which the farm servants had rejected.